

## INDEX

<u>SL. NO.</u>	<u>PARTICULARS</u>	<u>PAGE(S)</u>
1.	Listing Proforma	A1-A3
2.	Synopsis with List of Dates	<del>B-P</del>
3.	Writ Petition with Affidavit	1-36
4.	<b><u>ANNEXURE – P/1 :</u></b> Copies of the resume of the 1 <sup>st</sup> Petitioner's and an Article written by him as published on 06.02.2013 in "THE HINDU".	37-41
5.	<b><u>ANNEXURE – P/2 :</u></b> Copy of Supreme Court orders dated 28.02.2013, 14.03.2013, 26.04.2013, 23.09.2013, 02.09.2013, 23.09.2013, 04.10.2013, 07.10.2013, 08.10.2013, 26.11.2013, 28.01.2014, 04.02.2014, 11.02.2014, 12.02.2014, 13.02.2014, 25.02.2014 passed in W.P ( C) No.494 of 2012.	42-74
6.	<b><u>ANNEXURE – P/3:</u></b> Copy of recent reports dated 05.07.2014 and 04.07.2014.	75-79
7.	<b><u>ANNEXURE – P/4 :</u></b> Copy of National Population Register comprising of all usual residents of the country is sought to be created are true prints of contents from the website of the Respondents and other resources explaining the exercise).	80-87
8.	<b><u>ANNEXURE – P/5 :</u></b> Copies of advertisement pertaining to mandatory registration in the National Population Registrar (NPR) under the Citizenship Act, 1955.	88-90
9.	<b><u>ANNEXURE – P/6:</u></b> The Respondents share the data so collected including sensitive personal information including biometrics with, <i>inter alia</i> , the UIDAI for the purpose of creation of the NPR are resources from the Respondents' public documents explaining such linkage).	91-103
10.	<b><u>ANNEXURE – P/7:</u></b> Copy of the Order dated 26.02.2014 passed by the Hon'ble High Court of Bombay at Goa in the Criminal Writ Petition No.10 of 2014.	104-108
11.	<b><u>ANNEXURE – P/8:</u></b> Copy of Affidavit filed by Ms.Reetika Khera, Assistant Professor, Economics, Indian Institute of Technology in the UID Petition.	109 -112

12. **ANNEXURE – P/9:**  
Copy of public documents indicating that Respondents allow personal sensitive information to be collected by private parties including enrolling agencies of the UIDAI. 113-200
13. **ANNEXURE – P/10 :**  
Copy of the NDTV article dated 07.06.2012 Chidambaram Vs. Nilekani, New round in turf war over biometrics. 201-204
14. **ANNEXURE – P/11:**  
Copy of Article dated 18.11.2011 on UID data safety 205-208
15. **ANNEXURE – P/12:**  
Copy of the Memorandum of Understanding signed between the RGI and the UIDAI. 209-218
16. **ANNEXURE – P/13:**  
Copy of the list of organizations exempted from the purview of Right to Information Act. 219
17. **ANNEXURE – P/14:**  
Copy of the news report containing the interview with Mr.R.S.Sharma, DG and Mission Director, UIDAI by special arrangement. 220-222
18. **ANNEXURE – P/15:**  
A copy of 3<sup>rd</sup> Respondent's notice (UIDAI) inviting applications from experienced individual professional consultants working in the area of Biometric for UIDAI project. 223-234
19. **ANNEXURE – P/16:**  
A copy of one such independent study 'Template Aging in Iris Biometrics: Evidence of Increased False Reject Rate in ICE 2006' by Sarah E. Baker, Kevin W. Bowyer, Patrick J. Flynn and P. Jonathon Phillips published in 2013 in p.nos. 205-218 of "The Handbook of Iris Recognition, 2013" published by Springer London. 235-260
20. **ANNEXURE – P/17:**  
Copy of Relevant and recent news reports Aadhaar families found with invalid ID. to that 261-266
21. **I.A NO. OF 2015**  
An Application for appropriate directions 267 -270
22. Affidavits of the Petitioners stating that they have no personal interest, motive, gain or oblique reasons in the filing of the accompanying Petition and the same is being filed purely in general public interest. 271-272

## PROFORMA FOR FIRST LISTING

## SECTION – PIL

The case pertains to (Please tick/ check the correct box)

<input type="checkbox"/>	Central Act: (Title)	PIL
<input type="checkbox"/>	Section :	PIL
<input type="checkbox"/>	Central Rule.: (Title)	
<input type="checkbox"/>	Rule No(s).:	
<input type="checkbox"/>	State Act: (Title)	
<input type="checkbox"/>	Section:	
<input type="checkbox"/>	State Rule: (Title)	N.A.
<input type="checkbox"/>	Rule No(s).:	N.A.
<input type="checkbox"/>	Impugned Interim Order: (Date)	N.A.
<input type="checkbox"/>	Impugned Final Order/Decree : (Date)	N.A.
<input type="checkbox"/>	High Court: (Name)	N.A.
<input type="checkbox"/>	Names of Judges:	N.A.
<input type="checkbox"/>	Tribunal/ Authority : (Name)	N.A.

- 
1. Nature of matter: ☒ Civil ☐ Criminal
2. (a) Petitioner/ Appellant No.1 Mr. S.G.Vombatkere & Anr.
- (b) e-mail ID: N.A.
- (c) Mobile phone number: N.A.
3. (a) Respondent No.1: Union of India & Ors.
- (b) e-mail ID: N.A.
- (c) Mobile phone number: N.A.

4. (a) Main category classification: 08 Letter Petition & PIL Matters
- (b) Sub classification: 0812 others
5. Not to be listed before: N.A.
6. Similar /Pending matter: N.A.
7. Criminal Matters: N.A.
- (a) Whether accused/ convict has surrendered: ☐ ☐
- (b) FIR No. N.A. Date: N.A.
- (c) Police Station: N.A.
- (d) Sentence Awarded: N.A.
- (e) Sentence Undergone: N.A.
8. Land Acquisition Matters:
- (a) Date of Section 4 notification: N.A.
- (b) Date of Section 6 notification : N.A.
- (c) Date of Section 17 notification: N.A.
9. Tax Matters: State the tax effect: N.A.
10. Special Category (first petitioner/Appellant only): N.A.
- ☐ Senior Citizen > 65 years ☐ SC/ST ☐ Woman/child ☐ Legal Aid Case  
☐ In custody
11. Vehicle Number (in case of Motor Accident Claim matters): N.A.
12. Decided cases with citation: N.A.

Dated:

AOR for Petitioners  
 Name: **M/s. K.J.JOHN & CO.,**  
 Registration No.1287  
 E-mail: [mail@kjjohnco.in](mailto:mail@kjjohnco.in)



## SYNOPSIS

B

The present petition is being filed in public interest under Article 32 of the Constitution of India impugning the actions of the Respondents pertaining to the creation of The National Population Register ('NPR'), purportedly to aid in creation of a National Register of Indian Citizens, which are not only violative of fundamental rights under Article 14 and 21 of the Constitution of India, but also ultra-vires the Citizenship Act, 1955.

The fundamental challenge in this petition is to the unauthorized collection of confidential and valuable biometric information of individuals, without their informed consent and in the absence of safeguards against its possible abuse, which infringes basic human rights, and the irrational and arbitrary decision to link the exercise of preparation of the National Population Register with the Aadhaar scheme or the Unique Identification project aimed at assigning and identifying each Indian resident with a unique twelve-digit number.

The 1<sup>st</sup> Petitioner is a citizen of India is aged about 73 years. The 1<sup>st</sup> Petitioner is a retired Indian Army officer and is engaged in voluntary social work. The 2<sup>nd</sup> Petitioner is a citizen of India and is also engaged in voluntary social work. He is one of the founders of and the National Convenor of the Safai Karmachari Andolan (SKA), a human rights organization that has been campaigning for the eradication of manual scavenging and the emancipation of people employed for the purposes of manual scavenging. He was also the Convenor of the sub-group on *Safai*

*Karamcharis* constituted by the Planning Commission of India. In 2009, he was chosen as the "Ashoka Senior Fellow" of human rights.

The Respondents are creating a National Register of Indian Citizens under Section 14A of the Citizenship Act, 1955 (**the 'Act'**) and for which purpose Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 (**the 'Rules'**) have been notified. Under this initiative, all individuals are compulsorily required to supply certain particulars as prescribed under the Rules for the establishment of the National Register of Citizens (**NRC**). The Respondents, however, under the said exercise, are also mandatorily collecting confidential and valuable biometric information, which is beyond the particulars prescribed by the Rules. Such biometric information, which comprises of a facial photograph, all ten fingerprints and a scan of both the iris of individuals is being collected without the informed consent of the individual concerned, which apart from constituting infringement of basic human rights is plainly beyond their mandate under the Act or the Rules. It is submitted that mandatory collection of such confidential information would fall foul of the Constitutional scheme even if it enjoyed legislative sanction.

Further, such information is being used for generation of Unique Identification (UID) Numbers for the Unique Identification Authority of India (UIDAI) under its Aadhaar Scheme, the linkage with which is not sanctioned under the Act or the Rules. Such unauthorized collaboration where under information compulsorily procured for the creation of NRC is being used for generation of UID Numbers under Aadhaar, not only vitiates the consent of the applicants but also has the effect of indirectly

D

converting Aadhaar into a mandatory scheme itself. It is pertinent to note that UIDAI under Aadhaar is collecting such sensitive biometric information without any statutory backing and whose actions are subject matter of writ petitions pending before this Hon'ble Court, including Writ Petition 829 of 2013 filed in public interest by the Petitioners herein. The Petitioners reiterate and adopt all grounds raised in Writ Petition 829 of 2013 pertaining to the impermissibility of collection of confidential and valuable biometric information, in the present writ petition, without prejudice to the additional grounds raised herein.

The above actions of the Respondents are violative of the fundamental rights guaranteed under Article 14 and 21, of the Constitution and deserve to be struck down for the following reasons:

- I. *Ultra Vires: No Legislative Sanction:* The Respondents are collecting such vital biometric information compulsorily without being authorized to do so under the Act or the Rules
- II. *Unauthorized sharing of sensitive personal information:* Further, such confidential and valuable biometric information is being shared with UIDAI for generation of Unique UID Numbers under its Aadhaar scheme without any legislative sanction for the same.
- III. *Decision to use Biometric De-duplication is irrational and arbitrary* – The use of Biometric De-duplication for the preparation of a National Population Register without an independent study being conducted by the Respondents is

E

irrational and arbitrary. Further, the decision to adopt UIDAI and Biometrics was made even before UIDAI conducted feasibility studies.

- IV. *Personal Information being collected from non-citizens:* Such information is being collected from all individuals, regardless of whether or not they are Indian citizens, which is clearly beyond the mandate of the Respondents under Section 14A of the Act.
- V. *No Informed Consent:* Individuals are being compelled to part with such confidential and valuable biometric information under the impression that the same is necessary for the creation of the National Population Register and authorized under the Act and the Rules. The individuals are also not informed that there is no statutory protection against the possible misuse of such sensitive personal biometric information. Furthermore, the biometric information is also being used for the generation of UID Numbers under the Aadhaar scheme without the consent or knowledge of the applicants.
- VI. *Collaboration with UIDAI for collection of biometric information:* Such biometric information is being collected in collaboration with UIDAI which itself does not enjoy any statutory backing. The Respondents intend to use the biometric information so obtained to generate UID Numbers under Aadhaar for the applicants and link it to the National

F

Identity ('NI') Cards issued to them. It is submitted that the Act and the Rules framed thereunder, neither authorize the collection of such biometric information nor contemplate its use under the Aadhaar scheme for generation of UID Numbers. Furthermore, the same is being done without paying heed to the fact that creation of a database of such information by UIDAI under its banner Aadhaar is in fact under challenge before this Hon'ble Court on account of being violative of basic human rights.

VII. *Collection of biometric information by Private Parties:* Such biometric information is being collected in certain cases by private parties without adequate safeguards or governmental oversight to protect it against abuse and exploitation for profit. Such private dominion over valuable sensitive information is impermissible under the scheme of the Constitution.

VIII. *Collection of information for the purposes of NPR does not have statutory guidelines and therefore amounts to over-delegation.* Section 14A and the Rules made thereunder do not spell out the policy to be kept in mind by authorities collecting and using data for the purposes of NPR. Given that the data so collected is going to be used to determine the substantive question of citizenship, the absence of statutory guidelines amounts to over-delegation of essential legislative function and therefore *ultra-vires* the Constitution.

- IX. *Security of Collected Data:* Apart from the non-delegable function of collecting such sensitive information having been outsourced to private entities, there is no secure manner in which the Respondents themselves plan to store the data so collected.
- X. *Ownership of the Collected Data:* Further, the Respondents' decision to let UIDAI own and operate what is essentially national data and data that ought to be under their custody and control, is illegal and such relinquishment of duty is *ultra-vires* the Act.
- XI. *Lack of guidelines and safeguards for protecting confidentiality of the collected Data.* Unlike the Census Act 1948 and the Rules made thereunder, the NPR exercise has no built-in safeguards for protecting confidentiality of the collected data. Their unauthorized and illegal sharing of data with UIDAI, which has a vision of using the data to create an identity platform for other applications to use, *ipso facto* compromises on specificity of purpose of the collected data and therefore its confidentiality.
- XII. *The RGI agreeing to be a Registrar under UIDAI is ultra-vires the Act.* Neither the Act nor any other law empowers RGI to agree or to act as a Registrar for other agencies including an executive body like the UIDAI. The agreement by which RGI now acts as one of the registrars of UIDAI is *ultra-vires* the Act.

- XIII. *Surveillance:* There are several organizations within the government, such as the Intelligence Bureau, Research and Analysis Wing (RAW), National Intelligence Grid, Multi Agency Centre and the Central Monitoring Grid which are exempted from disclosure under the Right to Information Act, 2002 and which in general operate outside legislative oversight. Upon the UID Number generated in this process and linked to the NI Cards becoming ubiquitous, the Petitioners submit that each of these agencies will be able to illegally and unauthorizedly track an individual on real-time basis and increase the scope of surveillance to levels as targetting the entire population which are impermissible under the Indian Constitution. In the absence of any safeguard, that prevents access to such biometric information collected, the impugned scheme would result in impermissible levels of surveillance in violation of Article 14 and 21.
- XIV. *Invasion of Privacy:* The compulsory collection of biometric information for the purpose of creating a National Register of Indian Citizens and issuing NI Cards, is an extreme invasion of privacy and violative of Article 21 of the Constitution, irrespective of whether such collection of biometric information has statutory backing or not.
- XV. *Undermining Human Dignity:* The mandatory requirement of parting with confidential biometric information is an assault on human dignity, which is a facet of Article 21 of the

Constitution. The impugned scheme insofar as it compels an individual to supply such information against his volition violates his dignity and falls foul of Article 21 of the Constitution of India.

- XVI. *Unreliability of Biometrics:* The biometrics being compulsorily collected are an extremely unreliable basis for identifying an individual on a national scale for a country as populous as India. It is an unproven technology, which has been abandoned elsewhere in the world.
- XVII. *Biometric Exceptions:* Apart from the unreliability of biometrics generally, for certain segments of the population, biometrics in the form of fingerprint and iris scans are not possible to capture because of physical limitations.

The Writ Petition therefore assails the collection of biometric information for the purpose of creation of the NRC as well as generation and linking of UID Numbers under the Aadhaar scheme to the NI Cards so issued.

#### LIST OF DATES

- |            |   |
|------------|---|
| 10-12-2003 | The Citizenship Rules, 2003, was notified and brought into effect vide G.S.R.937(E) purportedly in exercise of the powers conferred by sub-sections (1) and (3) of section 18 of the Citizenship Act, 1955 (57 of 1955). The Rules, inter alia, laid down the procedure for the |
|------------|---|



J

creation of a National Register of Indian Citizens and for that purpose the creation of a Population Register, i.e. the register containing details of persons usually residing in a village or rural area or town or ward or demarcated area (demarcated by the Registrar General of Citizen Registration) within a ward in a town or urban area;

03-12-2004

The Citizenship Amendment Act 2003 (Act 6 of 2004) that inserted Section 14A to the Citizenship Act, 1955 that, *inter alia*, empowered the Union Government to establish a National Registration Authority and to maintain a National Register of Indian citizens and further provided that citizens may be compulsorily registered and the procedure therefor may be prescribed. It further provided that the Registrar General of India, the Respondent No.2 herein shall act as the National Registration Authority. The said Rules also mandated that the Registrar General shall issue National Identity Cards to all those registered in the National Register of Citizens.

Feb 2009

The Unique Identification Authority of India (UIDAI) was established as part of the Planning Commission and as an agency of the Government responsible for implementing the AADHAAR scheme. According to this scheme, every citizen of India is entitled to enrol



11



K

herself/himself with it and get a unique, randomly selected 12-digit number. For such enrolment, every person so intending would have to provide his/her personal information along with biometric details such as finger-prints and iris scan for future identification. Accordingly, a centralized database would be created under the UIDAI with all the above information. This was the first indication of the use of biometrics. No studies had been done by then – as is indicated in their invitation to a consultant dated some time in Jan-Feb 2010.

- |            |  |
|------------|--|
| July 2009  | Mr. Nandan Nilekani, former co-chairman of Infosys Technologies, was appointed as the first Chairman of the authority with Mr. R.S. Sharma, an IAS Officer of the Jharkhand Government, as the Director General and Mission Director of the Authority. |
| 23.7.2009  | The UIDAI started functioning as on 23.7.2009.   |
| 30.07.2009 | "Prime minister's council" headed by the Prime Minister on UID, was constituted on 30.07.2009.   |
| 12.8.2009  | The first meeting of the Prime Minister's Council on UID authority was held on 12.08.2009.   |
| 22.10.2009 | A cabinet committee on the Unique Identification Authority of India vide order dated 22.10.2009 bearing no.1/11/6/2009 was constituted.  |

L

- Dec 2009      Biometrics Committee submitted its report, in December 2009. The report itself stated two major problems: firstly the scaling of a database size as vast as fifty million to one billion has not been adequately analysed. Second the finger print quality, the most important variable for determining accuracy, has not been studied in depth in the Indian context. The report pointed out that there is data to suggest that the quality and therefore the accuracy drops precipitously if attention is not given to operational processes. The report highlighted the apprehensions on technical factors that can impact accuracy more significantly.
- 10-12-2009      Cabinet approved Phase I of the "Coastal NPR" project aimed at creation of the NPR in coastal regions, following a security review after the 2008 Mumbai Attacks, 3331 Villages located on the coastline in 13 coastal States/UTs were taken up for implementation. The same has now been reportedly completed.
- Feb 2010      Biometric consultants were invited to help UIDAI in the field of Bio metrics.
- 2010      National Register of Citizens updating process was launched as a pilot project in two circles, i.e. Barpeta and Chayagaon in Assam. This was called off following an agitation.

M

- 15.3.2010 RGI orders the preparation of the Population Register for the country vide notification in the Gazette numbered S.O.596(E).
- April 2010 Phase I i.e house-listing for Census 2011 launched.
- 30.06.2010 Draft Bill of UIDAI uploaded on the website inviting comments within 14 days. Very few, if any, of the comments seem to have been taken into account.
- Sept 2010 Aadhaar Enrolment began in September 2010. One of the objects of the entire project was non-duplication and elimination of fake identity cards, but reports and studies have proved otherwise.  
Completion of Phase I of Census along with the first list of houses to be enumerated for NPR.
- 29-09-2010 UIDAI launched the AADHAAR programme in the tribal village, Tembhli, in Shahada, Nandurbar, Maharashtra on 29 September 2010.
- 3.12.2010 National Identification Authority of India, Bill 2010, (NIAI) was introduced in the Rajya Sabha.
- March 2011 In great haste and without waiting for the National Identification Authority of India Bill, 2010, to be passed by Parliament or without collection of any statistic on working of the AADHAAR system, Aadhaar Enabled Payment System (AEPS) was introduced. AEPS is an

**N**

Indian payment system developed by NPCI based on the UID number (Aadhaar number).

June 2011

The task force on direct transfer of subsidies gave its Interim report, highlighting the lacuna in the project in its current form.

Aug 2011

Census 2011 exercise declared concluded.

13.12.2011

Standing Committee Report submitted to Parliament stating that both the NIDAI Bill and the Aadhaar project should be re-considered. The Parliament's Standing Committee on Finance while considering the Bill termed the project as directionless and conceptualised with no clarity of purpose. The committee also expressed its reservations on the technology used for the project calling it "untested, unproven, unreliable and unsafe".

The report mentions about the comment of Justice Dr. M. Rama Jois, MP (Rajya Sabha) in his representation addressed to the Chairman, Standing Committee on Finance. He "pointed out since the NIDAI Bill is pending for consideration before the Standing Committee on Finance, implementation of the provisions of the Bill, issue of aadhaar numbers and incurring expenditure from the exchequer by the Government is a clear circumvention of Parliament, and therefore, should be



0 -  
kept in abeyance awaiting debate in and decision of both Houses of Parliament".

- Nov 2011 News reports of the then Minister of Home Affairs and the Registrar General expressing doubts over the security and sanctity of data collected by the UIDAI.
- Jan 2012 News reports of the Ministry of Home Affairs and the UIDAI resolving their earlier differences over security and sanctity of the data collected by UIDAI and striking "a deal".
- March 2012 Finger Print Authentication Report, was submitted & published on the website of UIDAI.
- Sep 2012 Iris Authentication Report was submitted and published on the website. The claims and premises in the report are contrary to and at odds with observations in other empirical studies.
- Oct 2012 Report of the "Group of Experts on Privacy", headed by Justice Ajit P. Shah was submitted. *Inter alia*, it highlighted the flaws in the Citizenship Rules 2003 and Section 14A of the Citizenship Act 1955 in relation to the Right to Privacy. It had also noted a number of shortcomings of the NIDAI (National Identification Authority of India) Bill 2010.





P

2012-2013

Various reports & news items appeared highlighting how pilot projects linking various welfare schemes to UID has failed.

2012-2013

A number of Public Interest Litigations were filed before this Hon'ble Court and other High Courts assailing the Constitutionality of the UIDAI and the ADHAAR scheme including W.P. (Civil) No. 829 of 2013 by the Petitioners herein filed before this Hon'ble Court.

Jun-Sep 2014

Various reports and news items appeared further highlighting the problems with UIDAI data and also indicating that the operations of NPR and UIDAI would be merged.

05.02.2015

The present Writ Petition is filed.

**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
CIVIL WRIT PETITION NO.                      OF 2015  
(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

**IN THE MATTER OF :**

1. S.G.Vombatkere,  
Indian resident, having his address at  
475, 7th Main Road, Vijayanagar 1st  
Stage, Mysore-570017.
2. Bezwada Wilson  
Indian resident, having his address at  
c/o Safai Karamchari Andolan  
36/13 Ground Floor, East Patel Nagar  
New Delhi-110008. ...Petitioners

Versus

1. Union of India.  
Though the  
Secretary, Ministry of Home Affairs  
North Block Central Secretariat,  
New Delhi - 110 001.
- 2 The Registrar General and Census  
Commissioner, India,  
Office of The Registrar General and  
Census Commissioner, India  
2A, Man Singh Road,  
New Delhi -110011
- 3 Unique Identification Authority of India  
through its Chairman and having  
Its address at 3rd Floor,  
Tower II, Jeevan Bharati Building,  
Connaught Circus, New Delhi - 110001. ...Respondents

**WRIT PETITION UNDER ARTICLE 32 OF THE CONSTITUTION  
OF INDIA**

TO

THE HON'BLE THE CHIEF JUSTICE OF INDIA  
AND HIS OTHER COMPANION JUSTICES OF THE  
HON'BLE THE SUPREME COURT OF INDIA.

THE HUMBLE PETITION OF THE  
PETITIONERS ABOVENAMED

MOST RESPECTFULLY SHEWETH:

**A. PARTIES**

The Petitioners

1(a). The 1<sup>st</sup> Petitioner – S.G. Vombatkere, residing at 475, 7th Main Road, Vijayanagar 1st Stage, Mysore-570017, having telephone number 0821-2515187 and e-mail ID sg9kere@live.com, PAN No.ABMPV3365Q is a citizen of India, is aged about 73 years and a retired Indian Army Officer, who retired after 35 years military service, attaining the rank of Major General. The 1<sup>st</sup> Petitioner is engaged in voluntary social work. The annual income of the Petitioner is approximately Rs.9,00,000/- and the Petitioner has till date, not applied for nor has been issued with a Aadhaar number/ Card. A copy of the resumé of the 1<sup>st</sup> Petitioner's professional work as annexed with the UID petition is annexed herewith and marked as **ANNEXURE-P/1 (PAGES 37 TO 41)**

1(b). The 2<sup>nd</sup> Petitioner, is a citizen of India, residing at 36/13, Ground Floor East Patel Nagar, New Delhi, with PAN No.AGMPB6495N, Mobile No.9311234793 and e-mail ID skandolan@gmail.com and is engaged in voluntary social work. The annual income of the 2<sup>nd</sup> Petitioner is approximately Rs.6,00,000/- and the Petitioner has till date, not applied for nor has been issued with a Aadhaar number/ Card. The 2<sup>nd</sup> Petitioner is one of the founders and the National Convenor of the Safai Karmachari Andolan, a human rights organization that has been campaigning for the eradication of manual scavenging and the emancipation of people employed for the purposes of manual scavenging. He was also the convenor of the sub-group on *Safai Karamcharis* constituted by the Planning Commission of India. In 2009, he was chosen as the "Ashoka Senior Fellow" of human rights. By virtue of being the founder of Safai Karmachari Andolan, he was also involved in a public interest litigation before this Hon'ble Court in Writ Petition (civil) No.583 of 2003 *Safai Karamchari Andolan and Ors. v. Union of India & Ors*

praying for the strict implementation of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

- 1(c). The Petitioners herein are also Petitioners in W.P. (Civil) No. 829 of 2013 pending before this Hon'ble Court challenging the Constitutional validity of the Aadhaar (UID) scheme, which as is prayed herein, is a related matter. The Petitioners reiterate and adopt all grounds raised in Writ Petition 829 of 2013 pertaining to the impermissibility of collection of confidential and valuable biometric information, in the present writ petition, without prejudice to the grounds raised herein. (Annexed herewith and marked as **ANNEXURE- P/2 (COLLY) (PAGES 42 TO 74)** are orders in the said matter).
- 1(d) The Petitioners state that no personal interest is involved in the present Petition and the same is strictly being filed in the interest of the general public and citizens of India.
- 1(e) The Petitioners are not involved in any civil/ criminal/ revenue litigation which has /could have a nexus with the issue involved in the present Petition.

#### The Respondents

- 2(a). The 1<sup>st</sup> Respondent is the Union of India. The 2<sup>nd</sup> Respondent is the Registrar General of India, conferred with powers and duties relating to the impugned exercise of preparation of the NPR.
- 2(b). The 3<sup>rd</sup> Respondent is the Unique Identification Authority of India (UIDAI), a non-statutory department of the Union Government operating in the Planning Commission of India. UIDAI is responsible for implementing "Aadhaar" a project that is intended to give a 12 digit unique number to all residents in India, whether citizens or not.
3. All the Respondents are amenable to the writ jurisdiction of this Hon'ble Court under Article 32 of the Constitution of India. The Respondents are "State" within the meaning of Article 12 of the Constitution of India.

**B. THE NATURE OF THE CHALLENGE AND THE ISSUES INVOLVED IN THIS CASE**

Fundamental rights violated

4. This petition challenges government actions that violate and threaten to violate the fundamental rights of the Petitioners and other citizens and residents of India. The impugned actions, in particular, violate the Petitioners' fundamental rights guaranteed under Articles 21 and 14 of the Constitution of India.

Public interest litigation

5. This petition is filed in public interest. The impugned actions, unless prevented, will adversely affect and harm citizens and residents across the country, individually and collectively. The Petitioners approach this Hon'ble Court *bona fide* to enforce basic human rights that are violated and threatened to be violated as a result of the NPR exercise and to prevent escalation of such future violations.
6. This petition has been filed without any delay or laches. Although the scheme has been in operation since the start of the 2011 Census, the ultra-vires collection of biometrics under the NPR exercise and also the proposed ultra-vires uses of the NPR data – including for purposes such as preparation of the electoral rolls has only recently come to light and there have been recent documents in public domain relating to the unauthorised merger of operations between UIDAI and the NPR. (Annexed herewith and marked as **ANNEXURE- P/3** (PAGES 75 TO 79) are copies of

recent reports relating to the merger of operations between UIDAI and NPR). Further, the unauthorised collection of biometrics violates basic human rights and its undisclosed use under the Aadhaar scheme not only vitiates consent but also constitutes a breach of trust, and this being a continuing operation resulting in a continuing violation of fundamental rights of the people, no bar of laches can apply to this challenge.

#### Core challenge

7. The Respondents are undertaking an exercise to prepare a register of all usual residents of India called the National Population Register without regard to whether or not such individuals are Indian citizens. Furthermore, valuable and confidential biometric information is being collected under this NPR exercise, which is neither sanctioned nor authorised under the Act or the Rules.
8. A central feature of this exercise is its linkage with the Aadhaar scheme for Biometric De-duplication and identification, being implemented by UIDAI. The Constitutional validity of the Aadhaar scheme has been challenged before this Court and is pending hearing and adjudication.
9. In this Petition, such linkage with Aadhaar is being assailed as being ultra-vires the Constitution, particularly being in contravention of Part III rights and also its basic structure, as well as being ultra-vires the Citizenship Act. Further, the provision of Citizenship Act allowing the undertaking of the NPR exercise is being challenged as

being excessive delegation i.e. delegation of essential legislative function and therefore *ultra-vires* the Constitution.

10. As explained hereafter, the impugned exercise is *ultra vires*, illegal and liable to be forthwith struck down / brought to a halt.
11. The preparation of the National Population Register and its use of Aadhaar are illegal and violate fundamental rights in the following manner, *inter alia*:

*Ultra Vires: No Legislative Sanction*

- (A) For the purposes of creating a National Citizenship Register as provided for under the Citizenship Rules 2003 and under Section 14 A of the Citizenship Act, 1955, A National Population Register comprising of all usual residents of the country is sought to be created. (Annexed herewith and marked as **ANNEXURE- P/4 (PAGES 80 TO 87 )** are true prints of contents from the website of the Respondents and other resources explaining the exercise). This exercise involves obtaining sensitive personal information from all residents of the Nation. Obtaining this information alters fundamentally the relationship between citizen and State. The State seeks to create a vast databank containing personal information that can be exploited by the State or private entities against the interest of the citizen/residents and without the knowledge of the citizen/residents. The citizens and residents are compelled to part with this data by notices and advertisements by the Respondents that it is compulsory



for them to submit themselves to the exercise and part with the data. (Annexed herewith and marked as **ANNEXURE-P/5 (PAGES 88 TO 90)** are copies of such notices). It is pointed out that the Rule 17 of the Citizenship Rules specifies a penalty for refusal to give such data and that establishes a fully coercive data collection regime. .

- (B) Further, Respondents seek to collect sensitive biometric data of the individuals including fingerprints and iris scans for the purpose of NPR and the same is not sanctioned either by the Rules or the Act.
- (C) Therefore not only is such an exercise compelling residents to part with Biometrics illegal as being *ultravires* the Act and the Rules, but also a manifest violation of Article 21 of the Constitution of India that prohibits any compulsion by the State on its people without the authority of a constitutionally valid Law.
- (D) Reading Part III of the Constitution which enumerates fundamental rights recognized in the Constitution of India, it is evident that all persons in India (citizen and non-citizen) enjoy a number of freedoms and rights in relation to the State. Broadly, these fundamental rights, drawing on other parts of the Constitution, enable persons to preserve and protect their individuality and dignity and guarantee that each person may in the course of his or her life endeavour to attain fulfilment in personal as well as public spheres of activity. The State is

prevented by the Constitutional mandate from interfering in individual pursuits, community pursuits and enterprise of any type except in a manner recognized by the Constitution and provided by law.

- (E) The activity of obtaining personal biometric information of an individual cannot be engaged in regardless of whether or not an individual voluntarily gave this information, save and except under a valid law. Having regard to the relationship between individual and State under the Indian Constitution, there is a fetter on the State to act in a manner that would impinge upon the right to life of a person guaranteed under Article 21 and recognized by the Supreme Court in all its dimensions. The constitutional scheme demands that there has to be a legislation to back any action on the part of the State that could potentially impinge on an individual's freedoms. Here, without any legislative backing, the State is collecting sensitive, personal biometric information that potentially may be used for the benefit of the individual or to the detriment of the individual or even not used at all. The moment information of this type is sought to be collected by the State, under the Constitutional scheme there must be legislative backing. Absent any legislative backing, the exercise of indiscriminate and unauthorized collection of sensitive personal data including biometrics by the

Respondents in preparing the National Population Register is *ultra vires* and void.

- (F) In this regard, it is respectfully pointed out that the Parliamentary Standing Committee on Finance in its 42<sup>nd</sup> Report had cautioned thus:

The collection of biometric information and its linkage with personal information of individuals without amendment to the Citizenship Act, 1955 as well as the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003, appears to be beyond the scope of subordinate legislation, which needs to be examined in detail by Parliament.

- (G) Further, The Act or the Rules nowhere talk about the National Population Register and the very idea of an NPR is an executive creation that is completely contrary to the letter and spirit of the said Act and the Rules. The Rules mandate that the NCR is to be created from creating population registers at the local level and then culling a citizenship register at a local level and then aggregated as citizenship registers at district, state and national levels respectively. It is established law that any act of the executive done in any manner other than in the manner laid down by the statute is *ultra vires* and void.

- (H) It is respectfully submitted that each individual under our constitutional scheme has a right not to be regulated except in accordance with procedures established by laws properly enacted. The mandatory collection of biometrics under the

NPR exercise, and its use of UIDAI, infringes the aforesaid right, inasmuch as the same is not authorized by any properly enacted law. The impugned actions of the Respondents constitute an attempt to regulate the affairs of individuals, the severity of which may only increase with time, and absent sanction from a law properly enacted, the same cannot be countenanced under our Constitution.

Unauthorized sharing of sensitive personal information

- (I) The Respondents share the data so collected including sensitive personal information including biometrics with, *inter alia*, the UIDAI for the purpose of creation of the NPR (Annexed herewith and marked as **ANNEXURE- P/6 (PAGES 91 TO 103)** ) are resources from the Respondents' public documents explaining such linkage). Such sharing of data that is held in trust by the Respondents with other agencies like the UIDAI is not provided for by either the Act or the Rules. Such unauthorized and indiscriminate sharing is not only *ultravires* the Act and the Rules but also manifestly violative of the individual's right to privacy and therefore violative of Article 21.
- (J) Further, such unauthorized sharing to any agency without reasonable statutory guidelines on agencies that can be trusted with this data and those that cannot and the extent to which the data may be shared and terms upon which such data can be shared, is violative of Article 14 of the

Constitution on the ground of arbitrariness and irrationality. It is pointed out that even the Respondents No.2 herein, the UIDAI who are one of the recipients of the NPR data from Respondents No.1 do not have a reasonable and statutorily authorized data sharing policy and the same is the subject matter of W.P (C) 829 of 2013 before this Court.

- (K) Further, it is respectfully pointed out that a the lack of statutory sanction for data sharing actually operates as an unconstitutional open-to-all- type data regime leading to indiscriminate sharing of private and personal sensitive data meant to be protected. The recent Panaji Bench order of the Bombay High Court order in Criminal Writ Petition 10 of 2014, requiring UIDAI data to be shared for law enforcement purposes is but one such example. Annexed herewith and marked as **ANNEXURE- P/7 (PAGES 104 TO 108 )** is a copy of the said Order.
- (L) Further the linkage of NPR data collected for the limited purpose of citizenship register preparation, with UIDAI which envisages creation of an identity platform to be used for multiple purposes amounts to a accomplishing such indiscriminate, purpose- independent sharing of data in an indirect way which the RGI is not empowered to do directly under the Citizenship Act or the Rules.

Decision to use Biometric De-duplication is irrational and arbitrary.

- (M) The Respondents are purportedly sharing the data collected through the NPR exercise with UIDAI to use its capabilities to perform Biometric De-duplication.
- (N) It is reiterated that the vires of scheme of UIDAI and its Biometric deduplication methods is assailed and is pending before this Court. All the grounds raised in that Petition are reiterated here without prejudice to other grounds taken in the alternative here.
- (O) Further, the decision to use Biometric De-duplication without an independent study commissioned by the Registrar General (the authority vested with powers and duties under the Act and the Rules) to assess the feasibility and suitability of such an exercise for the purposes envisaged under the Act and the Rules, is arbitrary and irrational and violative of Article 14 of the Constitution. Further, the RGI has adopted UIDAI as the mechanism for deduplication and biometric data collection without an independent audit, scientific studies or verification of the background of companies and agencies engaged by the UIDAI to accomplish the deduplication and/or data collection qua the suitability for the purpose that RGI is empowered to be concerned with. Such adoption is manifestly irrational and arbitrary.
- (P) Further, the RGI has failed to notice that the Aadhar and NPR schemes are substantively and procedurally incompatible with each other. For instance, the very definition of "Resident" under the NPR and Aadhaar schemes are different. While the

commercially valuable. The concerned individuals from whom information is being obtained are not informed about the commercial value of this information and are being required to part with information without payment or knowledge as to the manner which the Respondents may exploit the information for commercial ends. The Petitioners verily believe that the Respondents are fully conscious about the commercial value of the information being collected but are nevertheless not informing persons about its value before securing the information. Indeed, private parties engaged in the business of collecting sensitive personal biometric data of individuals and other data under the Respondents' impugned project and scheme may already be profiting from selling such data behind the back of Respondents.

(V) It is submitted that the manner of collection of data as sanctioned by the NPR scheme and the Rules and the Act and the actual practice clearly fail the test of Constitutionality in relation to the individual's right to privacy as envisaged under Article 19 and 21 of the Constitution and also the test of equality under Article 14 of the Constitution insofar as individuals are neither given notice nor are requested consent while

- (i) Personal information is being collected from them;
- (ii) Or when there has been a breach of data security;

- (iii) Or when there is a legal request by another authority to access the data for a purpose other than that informs the Act and the Rules i.e. citizenship;
  - (iv) Or when there is a change or an impending change in the privacy policy of the Scheme;
  - (v) Or when there is any modification to the data collected from the individual.
- (W) It is further pointed out that not only are Biometrics collected coercively and without informed consent and requisite notice but also other sensitive data fields that the Respondents are not authorised to know such as the individual's relationship to the head of the family, educational qualification, occupation, name of the spouse etc. Therefore it is submitted that such unauthorized collection of data other than Biometrics is also violative of the Constitution and the Act and the Rules.

*Collaboration with UIDAI for collection of biometric information:*

- (X) Further, not only is data being shared by NPR to UIDAI, data is also allowed to be collected by UIDAI and its enrolling agencies. Such collaborative collection of data is not permitted under the Act or the Rules. When the Registrar General is the authority that is vested with the powers and duties under the Act and the Rules, the divesting of such powers, and sub-delegation of essential function of collecting personal sensitive data is manifestly ultra-vires the Act and the Rules and a fraud on the legislature.



- (Y) Further the methods adopted by UIDAI and its enrolling agencies are explained in detail in Writ Petition 829 of 2013 and the vires of those methods are also under challenge in the same. Further, the Respondents allow personal sensitive information to be collected by private parties including enrolling agencies of the UIDAI( Annexed herewith and marked as **ANNEXURE- P/9 (PAGES 113 TO 200 )** are resources including news reports and public documents showing that both NPR and UIDAI let private parties to collect data). It's a delegation of essential function envisaged under the Act and the Rules and therefore manifestly *ultravires*.

*Collection of biometric information by Private Parties.*

- (Z) The personal sensitive biometric information is not being collected from residents by any statutory authority or government agency. The exercise in the field is being carried out by private entities for profit and these private parties are not subject to any legislative oversight or administrative oversight by any statutory authority. The private entities under private agreements with UIDAI and/or RGI are projecting that they are an extension of the government machinery and are luring individuals to part with biometric information and other personal data. The private entities are driven purely by a profit motive and their earnings are directly

implemented, there is no manner of the government ensuring that the biometric information already collected by private entities has not been replicated, copied, sold and / or retained by the private entities for present or future commercial gain.

(DD) The privatization of biometric information in the unregulated manner impugned herein poses an enormous threat to national security. There is no Parliamentary or governmental control over the transmission of this personal biometric information by private entities overseas. Crucial personal biometric information of individuals and of vast segments of the people of India can be transmitted overseas to foreign entities and foreign governments, for commercial gain, without the Union Government being aware of the transmission of this information. The information can potentially undermine national security. The biometric information lying in private hands can also pass to a foreign entity upon the Indian entity being purchased by an overseas entity, as there are absolutely no checks or controls in this regard.

(EE) Attention may be drawn to similar issues and doubts being raised by the Respondents No.1 to the practices and procedures adopted by the Respondent No.3 in their data collection and storage methods and the subsequent truce that was called between the two without addressing any of those issues. A copy of the NDTV article dated 07.06.2012 is annexed hereto and marked as **ANNEXURE – P/10 –**

(PAGES TO ) and a copy of the article dated 18.11.2011 on UID data is annexed hereto and marked as **ANNEXURE – P/11 – (PAGES TO )**. It is submitted that national security and personal security are compromised by both the Respondents in collusion with each other.

(FF) At all levels – individual, community and national – the impugned project and actions severely imperil the right to life, safety and security amounting to a transgression of Article 21 of the Constitution of India. The exercise which has been undertaken by government in a hasty, thoughtless manner without any Parliamentary discussion or debate; and without so much as a realistic pilot project or study, renders the whole exercise arbitrary, deeply flawed and violative of Article 14 of the Constitution of India.

Section 14A of the Act is violative of Constitution for excessive delegation.

(GG) Further, Section 14A of the Act which allows for registering citizens without specifying the guidelines or manner in which such exercise may be carried out and the contours of the powers and duties vested in various authorities amounts to excessive delegation and delegation of essential legislative function that is not permissible under the Constitution. Therefore it is prayed that Section 14A of the Act is ultravires and liable to be struck down.

Security of Collected Data:

(HH) In addition to the haphazard and unreliable manner employed by the Respondents in collecting data for NPR, it appears that there is no secure manner in which the 2<sup>nd</sup> Respondent will store the data so collected. The Respondents have failed to reveal to the public at large the manner in which the security of data is maintained and where and in what manner this data is going to be stored and secured. It is submitted that there are no statutory safeguards with respect to the security of this data once it is collected. As set out herein, the process of collecting data is also extremely porous with no reliable protocols.

Ownership of the Collected Data: Lack of guidelines and safeguards for protecting confidentiality of the collected Data.

- (II) Further, there is no clarity or guidelines on who owns the collected data. Data that is collected for the purposes of citizenship has to be held in public trust by the Registrar General of India. However, there is no statutory control over the custody and/or regulation of access to such data and collection of such data without statutory control of ownership and access is a violation of Article 14 as being manifestly arbitrary and irrational.
- (JJ) Further, it is pointed out that when similar data is sought to be collected house-to-house under the Census Act, the statutory control and safeguards that exist over the confidentiality of such data including the definitions therein of

offenses to punish compromise in confidentiality is conspicuous by its absence in the exercise of NPR.

*The RGI agreeing to be a Registrar under UIDAI is ultra-vires the Act.*

- (KK) The Registrar General of India has agreed to be one of the Registrars of UIDAI for collection of data for the purposes of UID generation. (Annexed herewith and marked as **ANNEXURE- P/11 (PAGES 209 TO 218 )** is a copy of the Memorandum of Understanding signed between the RGI and the UIDAI) The RGI has acted manifestly in excess of its powers and violation of its duties under the Act and the Rules. There is nothing in the Act or the Rules that envisages a model in which a statutory authority like the RGI is to also be a Registrar subservient to an executive body such as the UIDAI.
- (LL) There are several organizations within the government such as the Intelligence Bureau, Research and Analysis Wing (RAW); National Intelligence Grid, Multi Agency Centre and now the Central Monitoring System that operate outside legislative oversight. These organizations are exempt from the obligation of disclosure under the Right to Information Act and are not accountable directly to citizens/residents and constitutional authorities such as the Comptroller and Auditor General of India. Upon the use of NI Cards and UID numbers becoming ubiquitous, the Petitioners submit that each of

these agencies will be able to track individuals on a real time basis increasing the scope of individual surveillance to a level that is impermissible under the Indian Constitution. Absent any statutory safeguard that prevents access to the information converged through the use of the Aadhaar number and the data collected with NPR, the impugned exercise will result in impermissible levels of surveillance in violation of Article 14 and 21 of the Constitution of India. (Hereto annexed and marked as **ANNEXURE- P/12 (PAGES 219** ) is the list of organizations exempted from the purview of Right to Information Act.)

*Undermining Human Dignity:*

(MM) It is submitted that dignity is an important facet of the right to life under Article 21 of the Constitution. The right to live with dignity includes the right to be a member of society and engage in societal transactions and community affairs without unreasonable restrictions. The notion of dignity in an open society encompasses the right to services while remaining anonymous or at any rate without identifying himself or herself in a particular manner. Dignity implies that a person is entitled to the full range of services and citizens' rights without having to part with biometric information. The impugned project assaults individual dignity by compelling persons on pain of exclusion from society, to part with

biometric information. It impinges on dignity by universalizing the requirement of registering for the NPR.

(NN) The biometrics being collected are an extremely unreliable basis for identifying an individual on a national scale for a country as populous as India. It is an unproven technology which has been abandoned elsewhere in the world. Where individuals are engaged in manual labour which applies extensively in the Indian context, the ridges on a finger are apt to wear out. This is an extremely common condition amongst construction workers, farm labourer, etc. Likewise, older person's finger prints are difficult to capture at the time of creating the biometrics database and also at the time of validation. Biometric information may be affected by the aging process, disease, stress and occupational factors. It is submitted that Mr. Ram Sewak Sharma, who had served as the Director General of UIDAI also in an interview admitted to the abovementioned flaws. It is till date not known as to how these flaws have been addressed. A copy of the news report containing the interview is annexed herewith and marked as **ANNEXURE- P/13 (PAGES 220 TO 222 )**.

(OO) In so far as the Petitioners are aware, the state of knowledge with respect to the reliability of biometric information of persons residing in India was very poor at the launch of the impugned programme. Indeed, on or about February 2010 the 3<sup>rd</sup> Respondent issued a notice inviting applications for a





consultant who could advise the authority on issues relating to biometrics. This notice itself acknowledges the total absence of information relating to biometrics. A copy of 3<sup>rd</sup> Respondent's notice inviting applications on or about February 2010 is annexed and marked as **ANNEXURE- P/14 (PAGES 223 TO 234 )**.

(PP) This 9 member Bio-metrics committee as mentioned above included the Registrar General of India, the Joint Secretary from Ministry of Rural Development, a Member from the Reserve Bank of India, representatives from Indian Institute of Technology etc. The Petitioners verily believe that these studies confirm the flaws in the use of biometrics for these purposes. The following are some critical observations of the committee:

"In the data analyzed, 2% to 5% of subjects did not have biometric records. Missing biometrics is a license to commit fraud. It is believed that the failure is due to poorly designed processes. The enrolment process when examined, had loopholes which prevented it from detecting such omissions."

"There is a large variation in the quality of fingerprints within the population. The appearance of a person's fingerprint depends on age, dirt, and cuts and worn fingers, i.e., on the occupation and lifestyle of the person in general. Sampling of the fingerprint is through contact, i.e., pressing the

finger against the platen of a fingerprint reader. As a result, there can be technical problems because of the contact nature of acquisition and problems related to the cleanliness of the finger and the platen. Additionally, there are people who may not have one or more fingers."

(QQ) The Petitioners state that there are other independent studies conducted across the world which also reflect upon the unreliability of biometric data. A copy of one such independent study 'Template Aging in Iris Biometrics: Evidence of Increased False Reject Rate in ICE 2006' by Sarah E. Baker, Kevin W. Bowyer, Patrick J. Flynn and P. Jonathon Phillips published in 2013 in p.nos. 205-218 of "The Handbook of Iris Recognition, 2013" published by Springer London is annexed and marked as **ANNEXURE- P/15 (PAGES 235 TO 260 )**. The Petitioners will rely on copies of further studies, when produced. The biometric system being employed has not been effectively tested in India on an appropriately representative scale such that it would justify the enormous expenditure being undertaken on the impugned project. Tax payers' money and government funds are being poured into a technology that has failed elsewhere and which had not been adequately validated

in the Indian context. The impugned project suffers from the vice of arbitrariness.

Biometrics Exceptions

(RR) Apart from the unreliability of biometrics generally, for certain segments of the population biometrics in the form of finger print and iris scans are not possible to capture because of physical limitations. For instance, persons engaged in hard manual labour or elderly individuals may find that the ridges on their fingers are not distinct enough to capture for de-duplication and authentication. Likewise, the iris scan of a person suffering from cataract may not yield a reliable result. Individuals whose biometrics cannot be captured are treated as biometrics exceptions by the Respondent. No reliable alternative method is adopted by the Respondents when issuing NI Cards and Aadhaar numbers to such persons and this has not only compromised the data base but is facilitating fraud. Relevant and recent news reports to that effect are hereto annexed and marked as **ANNEXURE-P/16-(PAGES 261 TO 266 )**. Similar reports have also been annexed in the UID matter and is part of the record therein.

**C. FACTS LEADING TO THE FILING OF THIS PETITION**

11. Section 14A was inserted in the Citizenship Act, 1955 ('the Act'), vide Act 6 of 2004, to empower the Central Government to compulsorily register every citizen of India and issue a National Identity ('NI') Card to him or her.
12. The provision prescribes the maintenance of a National Register of Indian Citizens ('NRC') and the establishment of a National Registration Authority for this purpose. Under sub-section (3) of Section 14A, the Respondent No. 2 i.e. the Registrar General of India {appointed under Section 3(1) of Registration of Births and Deaths Act, 1969} has been designated the National Registration Authority and the Registrar General of Citizen Registration ('RGCR') for the purpose of this exercise.
13. The Central Government also notified the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 (the 'Rules') in exercise of powers conferred to it under Section 18 of the Act. The Rules lay down the procedure for the creation and maintenance of the NRC by the RGCR. Rule 3(3) provides that the NRC shall contain the following twelve particulars in respect of every citizen:
  - i. Name;
  - ii. Father's name;
  - iii. Mother's name;
  - iv. Sex;
  - v. Date of birth;

- vi. Place of birth;
- vii. Residential address (present and permanent);
- viii. Marital status - if ever married, name of the spouse;
- ix. Visible identification mark;
- x. Date of registration of Citizen;
- xi. Serial number of registration; and
- xii. National Identity Number.

14. Although the aforesaid particulars under the NPR exercise are being collected since Census 2011, the Petitioners only subsequently learnt that confidential and valuable biometric information is also being collected, over and above the aforesaid particulars, for the preparation of National Population Register. Such biometric information comprises of a facial photograph, all ten fingerprints and a scan of both the iris of individuals.
15. Further, the Petitioners also discovered that upon registering for the National Population Register and supplying the biometric information sought, people were also receiving an Aadhaar card, though they had in fact made no application for the same and no consent had been taken from them therefore.
16. Subsequently, various newspaper reports and other documents emerged which confirmed the suspicion in the minds of the Petitioners regarding possible linkage of the National Population Register with Aadhaar.



17. The Petitioners thus contend that this is an attempt to circumvent the challenge to the Aadhaar scheme raised in several writ petitions (including Writ Petition 829 of 2013 filed by the Petitioners herein) and to achieve its backdoor legitimization by bringing it under the banner of the NPR exercise.

### **GROUND**

18. In paragraph 10 of this petition, detailed grounds are set out explaining why the impugned NPR exercise and the impugned provision of the Citizenship Act namely Section 14A are *ultra vires*, illegal null and void. For the sake of brevity, the Petitioners are not repeating the grounds. Each of these grounds is pressed in the alternative and without prejudice to one another.

### **JURISDICTION**

This petition is preferred to this Hon'ble Court under Article 32 of the Constitution of India having regard to the violation of Articles 21 and 14 of the Constitution of India as explained above. Having regard to the nationwide implications of important issues raised in this petition, this Hon'ble Court ought to entertain and hear the present petition. The Petitioners state that they have not filed any other similar petition before this Hon'ble Court or any High Court.

This petition assails the NPR scheme and the provisions of the Citizenship Act and the Citizenship Rules on diverse grounds. The frame of the challenge in this case is wider than those urged in Writ Petition (C) No.829 of 2013 titled S.G. Vombatkere & Anr. Vs. U.O.I & Ors., wherein the core

challenge is the violation of basic human rights as a result of the Unique Identification Project ("UID Project") introduced by the Respondents therein.

### **PRAYER**

In the above facts and circumstances of the case, it is most respectfully prayed that this Hon'ble Court may be pleased to:

- a) Issue an appropriate writ, order or direction under Article 32 of the Constitution of India declaring the exercise of preparation of the National Population Register to be void and *ultravires* the Constitution of India;
- b) Issue an appropriate writ, order or direction under Article 32 of the Constitution of India declaring that the exercise of preparation of the National Population Register to be void and ultravires the Citizenship Act, 1955.
- c) Issue an appropriate writ, order or direction under Article 32 of the Constitution of India, ordering and directing the Respondents by themselves or through their officers and agents:
  - i) to forthwith forbear from taking any steps in implementation or in furtherance of the NPR exercise;
  - ii) to forthwith cease and desist from taking any further steps to enroll individuals and/or collect biometric information and/or issue Aadhaar numbers to them;



- iii) to forthwith destroy all data and information collected from individuals;
- v) to obtain all data (biometric and other) that was taken from individuals under NPR exercise and which now lies with private parties and to destroy all such data within a time bound manner;
- vi) restrain all private parties and government organizations in custody or control of any data (biometric or other) that was taken from individuals under the NPR exercise and which now lies with private parties, from in any manner retaining or using this data.
- d) Issue an appropriate writ, order or direction declaring that Section 14A of the Citizenship Act 1955 is void, *ultravires* to the Constitution and inoperative.
- e) award costs relating to the present petition to the Petitioners; and
- f) Issue any other writ/order/direction in the nature of mandamus as this Hon'ble Court may deem fit and proper in the circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE PETITIONERS SHALL, AS IN DUTY BOUND, EVER PRAY.

FILED BY :

**M/S K.J. JOHN & CO.,**  
Advocates for the Petitioner

DRAWN ON : 17 - 01 - 2015  
FILED ON 05.02.2015

**IN THE SUPREME COURT OF INDIA**  
**CIVIL ORIGINAL JURISDICTION**  
**CIVIL WRIT PETITION NO.                      OF 2015**

**IN THE MATTER OF:**

Mr. S.G. Vombatkere & Anr.

...Petitioners

Versus

Union of India & Ors.

...Respondents

**AFFIDAVIT**

I, Bezwada Wilson, S/o Late Shri Yacob, aged about 47 years, R/o 36/13 Ground Floor, East Patel Nagar, New Delhi, do hereby solemnly affirm and state as follows:-

1. I am the Petitioner No. 2 herein, I am fully conversant with the facts and circumstances of the present case and am as such competent to swear the present affidavit on behalf of the Petitioners.
2. I have gone through the contents of the accompanying List of Dates and the Writ Petition running into pages " **1** " to " **34** " and have understood the list of dates at pages " **B** " to " **P** " and paras " **1** " to " **18** " of the Writ Petition and say that the facts set out therein are true to my knowledge as derived from the records maintained by me and the submissions made therein are on legal advice received from my Advocates and believed to be true and correct.

3. I have read with understood the contents of the accompanying Application for direction and say that the facts set out therein are true and correct to my knowledge and the submissions made therein are on advise received from my Advocate and believed to be true.
4. I say that the Annexures P/1 to P/16 to the accompanying Writ Petition are true and correct copies of their respective originals.
5. I say that no facts which were not pleaded before the Court below have been pleaded in this Court.

**DEPONENT**

**VERIFICATION:**

Verified at New Delhi on this 21<sup>st</sup> day of January, 2015, that the contents of paragraphs 1 to 4 of my above affidavit are true and correct that no part of it is false and nothing material has been concealed there from.

**DEPONENT**

Petitioner No1.1 i.e. Sudhir Vombatkere's profile.

37

The 1st Petitioner is a citizen of India and is aged about 71 years. The 1<sup>st</sup> Petitioner is a retired Indian Army officer who retired after 35 years in uniform in the rank of major general from the post of Additional DG in charge of Discipline and Vigilance at Army HQ, New Delhi. He has been awarded the Visishta Seva Medal (VSM) by President of India in 1993 for his distinguished service rendered in Ladakh.

He holds a PhD degree in civil structural dynamics from I.I.T., Madras. After retirement, he is engaged in voluntary social work at Mysore and other areas around Karnataka. The 1<sup>st</sup> Petitioner is also an Adjunct Associate Professor in International Studies of the University of Iowa, USA and teaches under graduate students from USA and Canada in programs where the students visit Mysore.

In so far as the Unique Identification Project UID project") is concerned, the 1st Petitioner has written various articles pointing out the security risks of the project.

THE HINDU

Published February 6, 2013 00:30

The architects of the unique identification scheme are yet to provide satisfactory answers to concerns about data security.

The Aadhaar scheme of the Unique Identification Authority of India (UIDAI) is to provide India's billion-plus people with a unique identification number. Enrolment is not mandatory, though it was

mentioned that it would be difficult for people to access public services if not done. The scheme requires individuals to provide their photograph, fingerprints and iris scan along with documentary personal information for data capture by outsourced operators. It is meant to bypass the corrupt bureaucratic system and deliver government subsidies and grants to the poor, and bring them into the banking system. Sceptics argue that it is an effort to capture the funds of hundreds of millions of micro- and nano-investors who are today outside the banking system, to bring them into the credit economy.

The scheme was introduced as a pilot project in Karnataka's Mysore district. The poor and those who survive on daily wages were not enthusiastic about enrolment, because it meant losing four or five days wages, to stand in queues, to fill up forms, to produce documents, to provide biometrics, etc., and later, to open bank accounts. The UIDAI overcame the initial reluctance by wide advertisement of the benefits of enrolment. When this too did not achieve the target set, the local administration informed the public that PDS ration and LPG supply would not be available without the Aadhaar number. This resulted in serpentine queues right through the day at enrolment centres, at the end of which the UIDAI could claim that 95 per cent of Mysore district's population had enrolled itself into the scheme.

Media reports indicate that commencing January 1, 2013, MGNREGA, the Rajiv Gandhi Awas Yojana (RGAY), the Ashraya housing scheme, Bhagyalakshmi and the social security and pension scheme will be

linked with Aadhaar in Mysore district. This linking, with rights like salary and pension, and important entitled benefits and services, has raised some hackles because enrolment is not mandatory.

It has led to questions on whether salary and pension rights, and benefits like PDS ration and LPG supply can be denied just because an individual does not possess a unique Aadhaar number. Today, teachers in Maharashtra and government employees in Jharkhand cannot draw their salaries. Apart from pro-poor projects like MGNREGA and RGAY, even jobs, housing, provident funds and registering a marriage now require enrolment. From being not mandatory, the "poor-inclusive" Aadhaar scheme appears to have quietly metamorphosed into becoming exclusionary and non-optional.

The UIDAI's own Biometrics Standards Committee stated that retaining biometric efficiency for a database of more than one billion people "has not been adequately analysed" and the problem of fingerprint quality in India "has not been studied in depth." Thus the technological basis of the project remains doubtful.

#### Criticism from the top

However, the severest critic of the entire scheme has been the Parliamentary Standing Committee on Finance (PSCF), which deliberated that the Aadhaar scheme is "full of uncertainty in technology as the complex scheme is built upon untested, unreliable technology and several assumptions." It found Aadhaar to be "directionless" and "conceptualized with no clarity." But the

UIDAI shelters under the Prime Minister's protective wing and continues to stonewall not only public queries and criticism, but also the unequivocal verdict of the PSCF.

Possibly even more serious is data security, and the consequent threat to privacy. The UIDAI claims that I access to its database will be secure from intelligence agencies. This claim is hollow, because the Aadhaar project is contracted to receive technical support from L-I Identity Solutions!(now MorphoTrust USA), a well-known defence contractor. Contracts are also awarded to Accenture Services Pvt. Ltd., which works with the U.S. Homeland Security, and Ernst & Young to install the UIDAI's Central ID Data Repository. It is impossible to ensure database security when technical providers are American business corporations, and U.S. law requires them to provide information demanded of them, to U.S. Home land Security. But the UIDAI is in denial.

If biometric data and other personal information fall into the hands of unauthorised agencies, privacy is unequivocally compromised. Compromising an individual's personal data affects only that person, but when the personal data of many millions of people is involved, there is potential for a national disaster. The fact that the UIDAI is silent on or evasive about these security concerns does not inspire confidence in the capability of the UIDAI or the Aadhaar system to maintain the right to personal privacy.

Though the Aadhaar project is "not mandatory," enrolment by threat of exclusion from availing benefits , and services, and threat of

denial of rights like salary or pension makes it non-optional. This kind of deviousness is unbecoming of a democratically elected government.

Coming on top of many huge scams, the present government may suffer electorally if it persists in using unethical, extra-legal coercion to impose the security-defective, technologically unproven, very expensive UID Aadhaar scheme on the public.

(Major General S.G. Vombatkere, who retired as Additional Director General, Discipline & Vigilance in Army HQ, New Delhi, writes on strategic and development-related issues.)

Keywords Authority Aadhaar scheme, Unique identification Authority of India, Biometrics Standards Committee, MGNREGA, PDS ration, Rajiv Gandhi Awas Yojana.



ITEM NO.32  
PIL

REGISTRAR COURT.2

SECTION

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012  
BEFORE THE REGISTRAR SUNIL THOMAS

JUSTICE K.S.PUTTASWAMY(RETD)& ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date: 28/02/2013 This Petition was called on for hearing today.

For Petitioner(s)

Mr.Anish Kumar Gupta,Adv.  
Ms. Deep Shikha Bharati,Adv.

For Respondent(s)

Ms./Mr. Shubhra Rai,Adv.

Mr. D.S. Mahra,Adv.

UPON hearing counsel the Court made the following

O R D E R

Respondent No. 1 appears through a counsel.Granted time for filing Vakalatnama and counter affidavit.

Respondent No. 2 has been served. No appearance for respondent No.2.

Respondent No.3 is awaited. Counsel for the petitioner seeks dasti notice against respondent No.3. Granted. Take steps. If steps are taken, issue dasti notice. Await return of notice.

List the matter on 14.3.2013.

(SUNIL THOMAS)

S

Registrar

ITEM NO.38

REGISTRAR COURT.2

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012  
BEFORE THE REGISTRAR SUNIL THOMAS

JUSTICE K.S.PUTTASWAMY(RET.D) &amp; ANR

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for stay  
WITH T.P.(C) NO. 47-48 of 2013  
(With office report)

Date: 14/03/2013 This Petition was called on for hearing today.

For Petitioner(s)

Mr. Anish Kumar Gupta, Adv.  
Mr. Sanjay Kumar Yadav, Adv.  
Mr. Karunakar Mahalik, Adv.  
Mr. D.S. Mahra, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

## O R D E R

Service is complete. Respondent No. 1, who offered to appear through Mr. D.S. Mahra, advocate seeks four more weeks time for filing Vakalatnama and counter affidavit. Granted as a last chance.

Respondent No. 3 has been served by dasti. No appearance for respondent No. 3.

In T.P.(C)No.47-48/2013 await return of notice of all the respondents.

List the matters on 24.4.2013.

|(SUNIL THOMAS)  
|s  
|Registrar

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012  
BEFORE THE REGISTRAR SUNIL THOMAS

JUSTICE K.S.PUTTASWAMY (RETD) & ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for stay  
WITH T.P.(C) NO. 47-48 of 2013  
(With office report)

Date: 26/04/2013 This Petition was called on for hearing today.

For Petitioner(s) Mr.Sanjay Yadav,adv.  
Ms.Deep Shikha Bharati,adv.  
Mr.Anish Kumar Gupta,Adv.

Mr.Balraj Dewan,adv.  
Mr. D.S. Mahra

For Respondent(s) Mr.Balraj Dewan,adv.  
Mr. D.S. Mahra ,Adv

UPON hearing counsel the Court made the following

O R D E R

In Writ Petition No.494/12 service is complete. Respondent No.1 has filed counter affidavit without filing vakalatnama. Vakalatnama is not filed even now in spite of last chance granted. List the matter before the Hon'ble Court as per rules. Counter affidavit filed by respondent No.1 shall be taken on record only after vakalatnama is filed.

ITEM NO.24

In T.P.(C) No.47-48/13 await return of notice of all the respondents.

List the Transfer Petition on 25.7.2013.

(Sunil Thomas)

|Registrar

SB

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO(s). 47-48 OF 2013

THE GOVT. OF INDIA & ORS. ETC. ....Petitioner(s)

VERSUS

S. RAJU & ANR. ETC. ....Respondent(s)

WITH

TRANSFER PETITION (CIVIL) NO(s). 476 OF 2013

ORDER

Heard learned counsel for the parties.

Having regard to the facts and circumstances of the case, we are satisfied that this is a fit case where the prayer for transfer is to be allowed.

On the facts of the case, we allow these Transfer Petitions and direct that W.P(C) No. 439 of 2012 titled S. Raju Vs. Govt. Of India and Others pending before the D.B. of the High Court of Judicature at Madras and PIL No. 10 of 2012, titled Vickram Crishna and Others Vs. UIDAI and Others pending before the High Court of Judicature at Bombay be transferred to this Court. The Registry of the High Court of Madras and Registry of the High Court of Bombay are requested to transmit the original records to this Court expeditiously.

These Transfer Petitions are accordingly allowed.

.....J.

(Dr. B.S. CHAUHAN)

.....J.

(S.A. BOBDE)

NEW DELHI;  
SEPTEMBER 23, 2013.

Corrected  
ITEM NO.4

COURT NO.5

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY (RETD) & ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for stay)  
WITH T.P.(C) NO. 47-48 of 2013  
(With appln(s) for stay and office report)  
T.P.(C) NO. 476 of 2013  
(With appln(s) for stay and office report)

Date: 02/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

Mr. P.R. Kovilan Poongkuntran, Adv.  
Mrs. Geeta Kovilani, Adv.

Mr. Anil B. Divan, Sr. Adv.  
Mr. Ankit Goel, Adv.  
Mr. Anish Kumar Gupta, Adv.  
Mr. Sanjay K. Yadav, Adv.  
Mr. D. Bharat Kumar, Adv.  
Mr. S.S. Shamsheery, Adv.  
Ms. Deep shikha Bharati, Adv.  
Mr. Merusagar, Adv.  
Mr. Ranvir Singh, Adv.

Mr. D.S. Mahra, Adv.

For Respondent(s)

Mr. L. Nageshwar Rao, ASG  
Mr. Farrukh Rasheed, Adv.  
Mr. Alok Mishra, Adv.  
Mr. D.S. Mahra, Adv.

UPON hearing counsel the Court made the following

O R D E R

Learned counsel for the petitioner is directed to serve unserved respondent No.4 in T.P.(C) No.48/2013 and also respondent No.5 in T.P.(C) No.48/2013 within two weeks. Dasti in addition, is permitted.

List all the matters on 23rd September, 2013.

(O.P. Sharma)  
Court Master

(M.S. Negi)  
Court Master

ITEM NO.5+56

Court No.5

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
 RECORD OF PROCEEDINGS  
 WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY (RETD) &amp; ANR

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for stay)

WITH T.P.(C) NO. 47-48 of 2013  
 (With appln(s) for stay and office report)  
 (Appln. for deletion of the name of petitioner no. 1)

T.P.(C) NO. 476 of 2013  
 With appln(s) for stay and office report)

W.P.(C) No. 829 of 2013  
 With appln(s) for interim relief and office report)

Date: 23/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
 HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

Mr. Anil B. Divan, Sr. Adv.  
 Mr. Ankit Goel, Adv.  
 Mr. Ranvir Singh, Adv.  
 Mr. Sanjay Yadav, Adv.  
 Mr. Anish Kumar Gupta, Adv.  
 Ms. Deepshikha Bharati, Adv.  
 Mr. S.S. Shamsbery, Adv.  
 Mr. Rajeev Kr. Singh, Adv.  
 Mr. Nachiketa Joshi, Adv.

Mr. P.R. Kovilan Poongkuntran, Adv.  
 Mrs. Geetha Kovilan, Adv.

Mr. Shyam Divan, Sr. Adv.  
 Mr. Pratap Venugopal, Adv.  
 Ms. Meenakshi Chauhan, Adv.  
 Mr. Varun Singh, Adv.  
 Mr. Gaurav Nair, Adv.  
 M/s. K.J. John & Co.

for

For Respondent(s)

Mr. Mohan Parasaran, SG  
 Mr. L. Nageshwar Rao, ASG  
 Mr. Farrukh Rasheed, Adv.  
 Mr. Alok Mishra, Adv.  
 Mr. D.S. Mahra, Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice in W.P.(C) No. 829/2013.

Application for deletion of the name of petitioner no. 1 in T.P.(C) Nos. 47 of 2013 is allowed.

T.P.(C)nos. 47-48 of 2013 and T.P.(C) No. 476 of 2013 are allowed in terms of the signed order.

All the matters require to be heard finally. List all matters for final hearing after the Constitution Bench is over.

In the meanwhile, no person should suffer for not getting the Adhaar card inspite of the fact that some authority had issued a circular making it mandatory and when any person applies to get the Adhaar Card voluntarily, it may be checked whether that person is entitled for it under the law and it should not be given to any illegal immigrant.

DEEPAK MANSUKHANI)  
Court Master

(M.S. NEGI)  
Court Master

(Signed order is placed on the file)

ITEM NO.MM-11

COURT NO.1

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY(RETD)& ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.  
(With appln(s) for stay)

Respondent(s)

Date: 04/10/2013 This Petition was mentioned today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr.Anish Kumar Gupta,Adv.

For Respondent(s) Mr. D.S. Mahra ,Adv

UPON being mentioned the Court made the following

O R D E R

List I.A. for clarification on 8th October, 2013  
before an appropriate Bench.

[Madhu Bala]  
Court Master

[Savita Sainani]  
Court Master



ITEM NO.MM-9

COURT NO.1

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

WRIT PETITION (CIVIL) NO.494 OF 2012

JUSTICE K.S.PUTTASWAMY (RETD) &amp; ANR

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for stay)

Date: 07/10/2013 This Petition was MENTIONED today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s)

Mr. Anish Kumar Gupta, Adv.

M/S. K.J. John &amp; Co.

For Intervention

Mr. L.N. Rao, ASG  
Ms. Khushbu Jain, Adv.  
Mr. Amit Meharia, Adv.  
Ms. Sophia Mustafa, Adv.  
for M/s. Meharia & Co.

For Respondent(s)

Mr. D.S. Mahra, Adv.

UPON being mentioned the Court made the following

O R D E R

List the interlocutory application for intervention tomorrow (08.10.2013) along with the other interlocutory application which is already listed on 8th October, 2013.

Chetan Kumar)  
|Court Master

(Savita Sainani).  
Court Master

ITEM NO.43

COURT NO.5

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
IA 3-4/2013

in  
WRIT PETITION (CIVIL) NO.494 OF 2012

JUSTICE K.S.PUTTASWAMY (RETD) &amp; ANR

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for clarification/modification of court's order  
and office report)

WITH

W.P.(C)NO.833/2013

(With appln.(s) for directions and office report)

Date: 08/10/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

Mr. Anil B.Divan, Sr. Adv.  
Mr. Shyam Divan, Sr. Adv.  
Mr. Ankit Goel, Adv.  
Mr. Ranvir Singh, Adv.  
Mr. Sanjay Yadav, Adv.  
Ms. Deepshikha, Adv.  
Mr. Nachiketa Joshi, Adv.  
Mr. Paqttabhi Ram, Adv.  
Mr. Nishant Katneshwar, Adv.  
Mr. S.S. Shamshery, Adv.  
Mr. Sanjay Yadav, Adv.  
Mr. Anish Kumar Gupta, Adv.  
  
Mr. P.S. Narashiman, Sr. Adv.  
Mrs. V. Mohana, Adv.  
Mr. B. Ragunath, Adv.  
Mr. Vijay Kumar, Adv.  
M/S. K.J. John & Co.

For Respondent(s)

Mr. G.E. Vahanvati, A.G.  
Mr. Mohan Parasaran, S.G.  
Mr. Alok Kumar, Adv.  
Mr. Alok Prasanna, Adv.  
Mr. Anupam Prasad, Adv.  
Ms. Tara Narula, Adv.  
Mr. D.S. Mahra, Adv.

(for Intervenors)

Mr. L. Nageshwar Rao, ASG  
Mr. Amit Meharia, Adv.  
Ms. Khushbu Jain, Adv.  
Ms. Sophia Mustafa, Adv.  
For M/s. Meharia & Company

UPON hearing counsel the Court made the following

## O R D E R

Issue notice in I.A.Nos.2,3,4,5 &amp; 6/2013.

Issue notice in W.P.(C)No.833/2013. Ms.D.S. Mahra,  
learned counsel accepts notice on behalf of the Union of  
India.

List the matters for final hearing on 22nd October, 2013  
as Item No.2 with all connected matters.

In the meanwhile, the reply to the IAs may be filed by the  
learned counsel for the petitioner in W.P.(C)No.494/ 2012.

O.P. Sharma)  
Court Master

(M.S. Negi)  
Court Master

ITEM NO.1

COURT NO.5

SECTION PIL

## S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY(RETD)&amp; ANR

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for directions, stay, intervention, clarification  
/modification of court's order, impleadment and office report)  
(For final disposal)

WITH W.P(C) NO. 829 of 2013

(With appln(s) for interim relief and impleadment and office  
report)

(For final disposal)

W.P(C) NO. 932 of 2013

(With appln(s) for directions and office report)

W.P.(C) No. 833 of 2013

(With appln(s) for directions &amp; impleadment &amp; office report)

(For final disposal)

T.C.(C) No. .../2013 @ T.P.(C) No. 47-48/2013

(With appln(s) for stay and deletion of the name of petitioner)

(For final disposal)

T.C.(C) No. .... /2013 @ T.C.(C) No. 476/2013

(With appln(s) for stay)

(For final disposal)

Date: 26/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s)

Mr. Soli J. Sorabjee, Sr. Adv.

Mr. Mehernaz Mehta, Adv.

Mr. Ankit, Adv.

Mr. Anil B. Diwan, Sr. Adv.

Mr. Ankit Goel, Adv.

Ms. Deepshikha Bharti, Adv.

Ms. Nachiketa Joshi, Adv.

M. Pattabhi Ram, Adv.

Mr. S.S. Shamsherya, Adv.

Mr. Nishant Katreswarkar, Adv.

Mr. Mehernaaz Mehta, Adv.

Mr. Sanjay Yadav, Adv.

Mr. Anish Kumar Gupta, Adv.

Mr. Mohit Chaudhary, Adv.

Ms. Varnika Singh, Adv.

Mr. Imran Ali, Adv.

Ms. Damani Chawla, Adv.

Mr. Harsh Sharma, Adv.

Ms. Jyoti Mendiratta, Adv.

Mr. Shyam Divan, Sr. Adv.

Mr. Pratap Venugopal, Adv.

Ms. Meenakshi Chauhan, Adv.

Mr. Varun Singh, Adv.

Mr. Anuj Sarna, Adv.

Mr. Nirman Sharma, Adv.

Mr. Abhinav Malhotra, Adv.

M/S. K.J. John &amp; Co., Adv.

Mr. P.S. Narashima, Sr. Adv.

Mr. V. Mohana, Adv.

Mr. B. Raghunath, Adv.

Mr. S. Prasana, Adv.  
Mr. Ishaan Gerooge, Adv.  
Mr. Vijay Kumar.

Ms. Aishwarya Bhati, Adv.  
Mr. D.S. Mahra, Adv.

Mr. P.R. Kovilan, Adv.  
Mrs. Geetha Kovilan, Adv.

For Respondent(s)

Mr. Mohan Parasaran, S.G.  
Mr. Alok Kumar, Adv.  
Mr. Alok Prassana, Adv.  
Mr. Anupam Prasad, Adv.  
Mr. D.S. Mahra, Adv.

Mr. Sunil Kumar, Sr. Adv.  
Mr. Tapesk Kumar Singh, Adv.  
Mr. Mohd. Waquas, Adv.

Mr. Mohit D. Ram, Adv.  
Ms. Madhvi Chaudary, Adv.  
Mr. Vasv Anant Raman, Adv.

For Intervenors

Mr. L. Nageshwara Rao, ASG  
Mr. Amit Meharia, Adv.  
Ms. Khushbu Jain, Adv.  
For M/s Meharia & Co., Adv.

Mr. Sai Krishna Rajgopal, Adv.  
Ms. Julian George, Adv.

Mr. Nikhil Nayyar, Adv.  
Ms. Pritha Srikumar Iyer, Adv.  
Mr. Dhananjay Baijal, Adv.  
Ms. Akanksha, Adv.

UPON hearing counsel the Court made the following

O R D E R

After hearing the matter at length, we are of the view that all the States and Union Territories have to be impleaded as respondents to give effective directions. In view thereof notice be issued to all the States and Union Territories through standing counsel.

The advocates who have already entered appearance must file their replies within a period of three days from today.

Learned standing counsel for the States who were not represented may take instructions from their Respective States and file their response within one week.

List this matter for further hearing on 10<sup>th</sup> December, 2013.

Interim order to continue, in the meantime.

[ Neeta ]  
Sr. P.A.

[M.S. Negi]  
Court Master

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY(RETD)&amp; ANR

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for stay and impleadment and clarification/modification of court's order and intervention and directions and office report)

WITH W.P(C) NO. 829 of 2013

(With appln(s) for interim relief and impleadment and office report)  
(For final disposal)

W.P.(C) NO. 932/2013

(With appln(s) for directions and office report)

T.C.(C) NO. 152/2013

T.C.(C) NO. 151/2013

W.P.(C) No. 833/2013

(With appln(s) for directions and impleadment and permission to file additional document in I.A. No. 3 and office report)  
(For Final Disposal)

Conmt. Pet.(Civil) No. 144/2014

Date: 28/01/2014 These matters were mentioned today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE J. CHELAMESWAR  
HON'BLE MR. JUSTICE M.Y. EQBAL

For the parties:

Mr. Shyam Divan, Sr. Adv. (Mentioned by)  
Mr. Pratap Venugopal, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Gaurav Nair, Adv.

Mr. Mohan Parasaran, SG  
Mr. D.S. Mahra, AOR  
Mr. Anish Kumar Gupta, Adv.

Mr. D.S. Mahra, AOR

Mr. Tapesh Kumar Singh, AOR

Mr. Nikhil Nayyar, AOR

Mr. Kamal Mohan Gupta, AOR

M/s. Meharia &amp; Company, AOR

M/s. Corporate Law Group, AOR  
Mr. Abhinav Mukerji, AOR  
Mr. V.G. Pragasam, AOR  
Mr. Jagjit Singh Chhabra, AOR  
Mr. Varinder Kumar Sharma, AOR  
Ms. C.K. Sucharita, AOR  
Mr. Gopal Singh, AOR  
Ms. Hemantika Wahi, AOR  
Mr. Mishra Saurabh, AOR  
Mr. Anip Sachthey, AOR  
Mr. Garvesh Kabra, AOR  
Mr. Aniruddha P. Mayee, AOR  
Mr. T.G. Narayanan Nair, AOR  
M/s. K.J. John & Co., AOR  
Ms. Jyoti Mendiratta, AOR  
Mr. Mohit D. Ram, AOR  
Mr. H.S. Parihar, AOR  
Mr. Rahul Narayan, AOR  
Ms. Geetha Kovilan, AOR  
Mr. Vijay Kumar, AOR  
Ms. Aishwarya Bhati, AOR

UPON mentioning the Court made the following

O R D E R

List the matters on Tuesday, the 4th February, 2014  
subject to overnight part-heard.

(DEEPAK MANSUKHANI) . . . . . (M.S. NEGI)  
| Court Master . . . . . Assistant Registrar

ITEM NO.6

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY(RETD)& ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for directions, stay, intervention, clarification/  
modification of court's order, impleadment, permission to file  
additional documents and office report):  
FOR FINAL DISPOSAL)

WITH

W.P(C) NO. 829 of 2013

With appln.(s) for interim relief, impleadment and office report)

W.P(C) NO. 932 of 2013 (With appln.(s) for directions and office  
report)

T.C.(C) NO. 152 of 2013

T.C.(C) NO. 151 of 2013

(With appln.(s) for impleadment as party respondent and  
modification of Court's order)

W.P(C) NO. 833 of 2013

With appln.(s) for directions, impleadment, permission  
to file addl.documents in I.A.No.3 and office report)

(FOR FINAL DISPOSAL)

CONMT.PET.(C)NO.144/2014 IN W.P.(C)NO.494/2012

Date: 04/02/2014 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)

Mr. Shyam Divan, Sr. Adv.

Mr. Pratap Venugopal, Adv.

Mr. Nirman Sharma, Adv.

Mr. Gaurav Nair, Adv.

Mr. Prasanna S, Adv.

for M/S. K.J. John & Co., Adv.

Mr. Anish Kumar Gupta, Adv.

Ms. Deep Shikha Bharati, Adv.

Mr. Ankit Goel, Adv.

Mr. Nachiketa Joshi, Adv.

Mr. Rajeev Kr. Singh, Adv.

Mr. Nishant Kantneshwarkar, Adv.

Mr. Pattabhi Ram, Adv.

Mr. D. Bharat Kumar, Adv.

Mr. Sanjay Kr. Yadav, Adv.

Mr. P.S. Narasimha, Sr. Adv.

Ms. V. Mohana, Adv.

Mr. Prasanna S., Adv.

Mr. B. Ragunath, Adv.

Mr. Vijay Kumar, Adv.

Mr. Mohit Chaudhary, Adv.

Ms. Damini Chawla, Adv.

Mr. Imran Ali, Adv.

Ms. Jyoti Mendiratta, Adv.

Mr. Rahul Narayan, Adv.

Mfr. Shivam Vaidialingam, Adv.

Ms. Aishwarya Bhati, Adv.

Ms. Ayushi Mittal, Adv.

Ms. Sanjali Mittal, Adv.

Mr. Tarun Kaushik, Adv.  
 Mr. Amit Verma, Adv.  
 Mr. Pawan Kumar Saini, Adv.

Mrs. Geetha Kovilan, Adv.

For Respondent(s)  
 (For UIDAI)

Mr. Mohan Parasaran, S.G.  
 Mr. Zaneb Hossain, Adv.  
 Ms. Aditi Dani, Adv.  
 Mr. Alok Mishra, Adv.  
 Mr. D.S. Mahra, Adv.  
 Mr. Anupam Prasad, Adv.

(U.T.Chandigarh) Ms. Vimla Sinha, Adv.  
 Mr. Gopal Singh, Adv.

(St. of Tripura) Mr. Gopal Singh, Adv.  
 Mr. Ritu Raj Biswas, Adv.

Ms. Anitha Shenoy, Adv.

Mr. Abhinav Mukerji, Adv

(St. of Haryana) Mr. Narender Hooda, Sr.AAG  
 Mr. B. Deswal, AAG  
 Mr. Manjit Singh, AAG  
 Mr. Vikas Sharma, Adv.  
 Mr. Tarjit Singh, Adv.  
 Mr. Vinay Kuhar, Adv.  
 Ms. Nupur Choudhary, Adv.  
 Mr. Kamal Mohan Gupta, Adv.

(St. of Sikkim) Mr. A. Mariarputham, AG  
 Mrs. Aruna Mathur, Adv.  
 Mr. Yusuf, Adv.  
 for M/S Arputham, Aruna & Co., Adv

Mr. Varinder Kumar Sharma, Adv

(St. of Jharkhand) Mr. Sunil Kumar, Sr. Adv.  
 Mr. Tapeshe Kumar Singh, Adv.  
 Mr. Mohd. Waquas, Adv.

Mr. Sai Kaunna Rajgopal, Adv.  
 Mr. Jai Sai Deepak, Adv.  
 Mr. T. George, Adv.  
 Mr. Arjun Ranganathan, Adv.

(St. of Gujarat) Ms. Hemantika Wahi, Adv.  
 Ms. Nupur Quanungo, Adv.  
 Ms. Preeti Bhardwaj, Adv.

Mr. D.S. Mahra, Adv.

(St. of M.P.) Mr. Mishra Saurabh, Adv.  
 Ms. Vanshaja Shukla, Adv.  
 Mr. Ankit Lal, Adv.

(St. of Nagaland) Mrs. K. Enatoli Sema, Adv.  
 Mr. Amit Kumar Singh, Adv.

Ms. Savita Singh, Adv.

Mr. Garvesh Kabra, Adv.

(St. of W.B.) Mr. Soumitra G. Chaudhuri, Adv.  
 Mr. Anip Sachthey, Adv.

M/S Corporate Law Group, Adv.

(St. of Mizoram) Mr. K.N. Madhusoodhanan, Adv.  
 Mr. T.G. Narayanan Nair, Adv.

Ms. C.K. Sucharita, Adv.

(St. of Puducherry) Mr. V.G. Pragasam, Adv.  
 Mr. S.J. Aristotle, Adv.  
 Mr. Prabu Ramasubramanian, Adv.



St. Of Maharashtra) Mr.Shankar Chillarge,Adv. Mr. Aniruddha P. Mayee,Adv.

Mr. Jogya Searia,Adv.  
Mr. K.K. Sudheesh,Adv.

(NCT of Delhi) Mr. J.M. Kalia,Adv.  
Mr. D.S. Mahra,Adv.

(St. of Tamilnadu) Mr. Subramonium Prasad,AAG  
Mr. B. Balaji,Adv.  
Mr. R. Rakesh Sharma,Adv.  
Mr. Selvin Raja,Adv.

(For RBI) Mr. Jayant Bhushan,Sr.Adv.  
Mr. H.S. Parihar,Adv.  
Mr. Kuldeep S. Parihar,Adv.

(For ECI) Mr. Mohit D. Ram,Adv.

(St. of Punjab) Mr. Ashok Aggarwal,AG,Punjab  
Mr. Sanchar Anand,AAG  
Ms. Shilpa Sood,Adv.  
Mr. Jagjit Singh Chhabra,Adv.

(St. of Rajasthan) Mr. Shiv Mangal Sharma,AAG  
Ms. Shreya Kapoor,,Adv.  
Ms. Pragati Neekhara,Adv.

(St. of H.P.) Mr. J.S. Attri,Sr.Adv.  
Mr. Suryanarayana Singh,Adv.  
Mr. V.K. Sharma,Adv.  
Ms. Priyanka Bharihoke,Adv.

(St. of Chhattisgarh) Mr. C.D. Singh,Adv.  
Ms. Sakshi Kakkar,Adv.  
Ms. Shreya Dubey,Adv.

For Applicant (s)  
(I.A.No.4-5/2014  
in WP(C)494/2012 Mr. L. Nageshwar Rao,ASG .  
Mr. Amit Maharia,Adv.  
Ms. Kshushbu Jain,Adv.

(I.A.No.9 & 10/2014  
in WP(C)494/2012 Mr. Garvesh Kabra,Adv.  
Mr. Anit Singh,Adv.  
Ms. Pooja Kabra,Adv.

(I.A.No.11 & 12/2014  
in WP(C)494/2012 Mr. K.K. Venugopal,Sr.Adv.  
Mr. Gopal Sankaranarayanan,Adv.  
Mr. Ankur Talwar,Adv.  
Mr. A.S. Shefali,Adv.  
Mr. Prashant,Adv.  
Ms. Savita Singh,Adv.

UPON hearing counsel the Court made the following

#### O R D E R

Mr. Shyam Divan, learned senior counsel appearing on behalf of the petitioner in W.P.(C)NO.829/2013 started his arguments at 10.50 a.m. and was on his legs till the Court rose for the day.

Matters remained part heard.

List on 11th February, 2014 as part heard.

(O.P. Sharma) (Deepak Mansukhani) (M.S. Negi)  
Court Master Court Master Assistant Registrar

ITEM NO.2(PH)

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY(RETD)& ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for stay and impleadment and clarification/modification of Court's order and intervention and directions and permission to file additional documents in I.A. No. 11 and office report) (FOR FINAL DISPOSAL)

WITH

W.P(C) NO. 829 of 2013

(With appln.(s) for interim relief and impleadment and office report) (For Final Disposal)

W.P(C) NO. 932 of 2013

(With appln.(s) for directions and office report)

T.C.(C) NO. 152 of 2013

T.C.(C) NO. 151 of 2013

(With appln.(s) for impleadment as party respondent and modification of Court's order)

W.P(C) NO. 833 of 2013

(With appln.(s) for directions and impleadment and permission to file addl.documents in I.A.No.3 and office report) (FOR FINAL DISPOSAL)

CONMT.PET.(C)NO.144/2014 IN W.P.(C)NO.494/2012

Date: 11/02/2014 .These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE J. CHELAMESWAR  
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)

Mr. Shyam Divan, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Nirman Sharma, Adv.  
Mr. Gaurav Nair, Adv.  
Mr. Prasanna S, Adv.  
Ms. Krishna Kedia, Adv.  
Mr. Nirman, Adv.  
M/S. K.J. John & Co., Adv.

for

I.A. No. 4-5 in  
WP(C) No. 494/2012

Mr. L. Nageswara Rao, ASG  
Mr. Amit Meharia, Adv.  
Ms. Khushbu Jain, Adv.  
Ms. Rishika Singh, Adv.  
M/s. Meharia & Company, Advs.

for

Mr. P.S. Narasimha, Sr. Adv.  
Ms. V. Mohana, Adv.  
Mr. B. Ragunath, Adv.  
Mr. Vijay Kumar, Adv.

Mr. Ankit Goel, Adv.  
Mr. Anish Kumar Gupta, Adv.  
Mr. Sanjay Kr. Yadav, Adv.

Mr. Anish Kumar Gupta, Adv.  
 Ms. Deep Shikha Bharati, Adv.  
 Mr. Ankit Goel, Adv.  
 Mr. Nachiketa Joshi, Adv.  
 Mr. Rajeev Kr. Singh, Adv.  
 Mr. Nishant Kantneshwarkar, Adv.  
 Mr. Pattabhi Ram, Adv.  
 Mr. D. Bharat Kumar, Adv.  
 Mr. Sanjay Kr. Yadav, Adv.  
 Mr. Joyodeep Roy, Adv.  
 Mr. Pattabhi Ram, Adv.

Ms. Jyoti Mendiratta, Adv.

Mr. Rahul Narayan, Adv.  
 Mr. Mala Narayan, Adv.  
 Mr. Shivam Vaidialingam, Adv.

Ms. Aishwarya Bhati, Adv.

Mr. P.R. Kovilan Poongkuntran, Adv.  
 Mrs. Geetha Kovilan, Adv.

For Respondent(s)  
 (For UIADAI)

Mr. Mohan Parasaran, S.G.  
 Mr. Zoheb Hossain, Adv.  
 Ms. Aditi Dani, Adv.  
 Mr. Vakul Sharma, Adv.  
 Mr. Vidya Sagar, Adv.  
 Ms. Seema Sharma, Adv.  
 Mr. D.S. Mahra, Adv.

for

State of Assam

Mr. Krishna Sarma, AAG  
 Mr. Riku Sarma, Adv.  
 Mr. Navnit Kumar, Adv.  
 M/s. Corporate Law Group

for

(U.T. Chandigarh)

Ms. Vimla Sinha, Adv.  
 Mr. Gopal Singh, Adv.

(St. of Chhattisgarh)

Mr. C.D. Singh, Adv.

(NCT of Delhi)

Mr. Harish Salve, Sr. Adv.  
 Mr. J.M. Kalia, Adv.  
 Mr. V. Arora, Adv.  
 Mr. D.S. Mahra, Adv.

(For ECI)

Mr. Mohit D. Ram, Adv.

(St. of Gujarat)

Ms. Hemantika Wahi, Adv.  
 Ms. Giss Antony, Adv.

(St. of Haryana) Mr. Narender Hooda, Sr. AAG

Mr. Bano Deswal, Adv.  
 Mr. Manjit Singh, AAG  
 Ms. Vivekta Singh, Adv.  
 Mr. Tarjit Singh, Adv.  
 Ms. Nupur Choudhary, Adv.  
 Mr. Kamal Mohan Gupta, Adv.

(St. of H.P.)

Mr. J.S. Attri, Sr. Adv.  
 Mr. Suryanarayana Singh, Adv.  
 Mr. V.K. Sharma, Adv.  
 Ms. Priyanka Bharihoke, Adv.

(St. of Jharkhand)

Mr. Harish N. Salve, Sr. Adv.  
 Mr. Tapes Kumar Singh, Adv.  
 Mr. Mohd. Waquas, Adv.

State of Karnataka

Ms. Anitha Shenoy, Adv.

Mr. Abhinav Mukerji, Adv.  
 Ms. Purnima Krishna, Adv.  
 Ms. Bihu Sharma, Adv.

State of Kerala Mr. R. Basanth, Sr. Adv.  
Mr. Jogy Scaria, Adv.

(St. of M.P.) Mr. Mishra Saurabh, Adv.  
Ms. Vanshaja Shukla, Adv.  
Mr. Ankit Lal, Adv.

(St. of Maharashtra) Mr. Shankar Chillarge, Adv.  
Mr. Aniruddha P. Mayee, Adv.  
Mr. Charudatta Mahindrakar, Adv.

State of Manipur Mr. Sapam Biswajit Metei, Adv.  
Mr. Ashok Kumar Singh, Adv.

(St. of Mizoram) Mr. K.N. Madhusoodhanan, Adv.  
Mr. T.G. Narayanan Nair, Adv.

(St. of Nagaland) Mrs. K. Enatoli Sema, Adv.  
Mr. Amit Kumar Singh, Adv.

(St. of Puducherry) Mr. V.G. Pragasaam, Adv.  
Mr. S.J. Aristotle, Adv.  
Mr. Prabu Ramasubramanian, Adv.

(St. of Punjab) Mr. Ashok Aggarwal, AG, Punjab  
Mr. Sanchar Anand, AAG  
Mr. Jagjit Singh Chhabra, Adv.

(St. of Rajasthan) Mr. Shiv Mangal Sharma, AAG  
Ms. Abhinandini Sharma, Adv.  
Mr. Sitesh Narayan Singh, Adv.  
Mr. Irshad Ahmad, Adv.  
Ms. Pragati Neeekhara, Adv.

(For RBI) Mr. Jayant Bhushan, Sr. Adv.  
Mr. H.S. Parihar, Adv.  
Mr. Kuldeep S. Parihar, Adv.

(St. of Sikkim) Mr. A. Mariarputham, AG  
Mrs. Aruna Mathur, Adv.  
Mr. Yusuf Khan, Adv.  
for M/S Arputham, Aruna & Co., Adv.

(St. of Tamilnadu) Mr. B. Balaji, Adv.  
Mr. R. Rakesh Sharma, Adv.  
Mr. A. Selvin Raja, Adv.

(St. of Tripura) Mr. Gopal Singh, Adv.  
Mr. Ritu Raj Biswas, Adv.

(St. of W.B.) Mr. Soumitra G. Chaudhuri, Adv.  
Mr. Anip Sachthey, Adv.

Mr. S.S. Shamschery, Adv.  
Mr. Bharat Sood, Adv.  
Mr. Varun Punia, Adv.  
Mr. Sandeep Singh, Adv.  
Mr. Amit Sharma, Adv.

Mr. Varinder Kumar Sharma, Adv.

Mr. Sai Kaunna Rajgopal, Adv.  
Mr. Jai Sai Deepak, Adv.  
Mr. T. George, Adv.  
Mr. Arjun Ranganthan, Adv.

Ms. C.K. Sucharita, Adv.

Mr. Dinkar Kalra, Adv.



Mr. Jitender Kumar Bhatia, Adv..  
Mr. Mukesh Verma, Adv.

(I.A.No.9 & 10/2014  
in WP(C)494/2012

Mr. Garvesh Kabra, Adv.  
Mr. Amit Singh, Adv.  
Ms. Pooja Kabra, Adv.

(I.A.No.11 & 12/2014  
in WP(C)494/2012

Mr. K.K. Venugopal, Sr. Adv.  
Mr. Gopal Sankaranarayanan, Adv.  
Mr. Vikramaditya Awasthi, Adv.  
Mr. Ankur Talwar, Adv.  
Mr. A.S. Shefali, Adv.  
Mr. Prashant, Adv.  
Ms. Savita Singh, Adv.

UPON hearing counsel the Court made the following

### O R D E R

Mr. Shyam Divan, learned senior counsel appearing on behalf of the petitioner in W.P.(C)NO.829/2013 resumed his arguments at 11.10 a.m. and was on his legs till the Court rose for the day.

Matters remained part heard.

List on Wednesday, 12th February, 2014 as part heard.

(O.P. Sharma)	(Deepak Mansukhani)	(M.S. Negi)
Court Master	Court Master	Assistant Registrar

ITEM NO.1(PH)

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY(RETD)&amp; ANR

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for stay and impleadment and clarification/  
modification of Court's order and intervention and  
directions and permission to file additional documents in  
I.A. No. 11 and office report) (FOR FINAL DISPOSAL)

WITH

W.P(C) NO. 829 of 2013

(With appln.(s) for interim relief and impleadment and office  
report) (For Final Disposal)

W.P(C) NO. 932 of 2013

(With appln.(s) for directions and office report)

T.C.(C) NO. 152 of 2013

T.C.(C) NO. 151 of 2013

With appln.(s) for impleadment as party respondent and  
modification of Court's order)

W.P(C) NO. 833 of 2013

(With appln.(s) for directions and impleadment and  
permission to file addl.documents in I.A.No.3 and office  
report)  
(FOR FINAL DISPOSAL)

CONMT.PET.(C)NO.144/2014 IN W.P.(C)NO.494/2012

Date: 12/02/2014 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)

Mr. Shyam Divan, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Nirman Sharma, Adv.  
Mr. Gaurav Nair, Adv.  
Mr. Prasanna S, Adv.  
Ms. Krishna Kedia, Adv.  
Mr. Nirman, Adv.  
for M/S. K.J. John & Co., Adv.

I.A. No. 4-5 in  
WP(C) No. 494/2012

for

Mr. L. Nageswara Rao, ASG  
Mr. Amit Meharia, Adv.  
Ms. Khushbu Jain, Adv.  
Ms. Rishika Singh, Adv.  
M/s. Meharia & Company, Adv.

Mr. P.S. Narasimha, Sr. Adv.  
Ms. V. Mohana, Adv.  
Mr. B. Ragunath, Adv.  
Mr. Vijay Kumar, Adv.

Mr. Ankit Goel, Adv.  
Mr. Anish Kumar Gupta, Adv.  
Mr. Sanjay Kr. Yadav, Adv.

Mr. Soli J. sorabjee, Sr. Adv.

Ms. Mehernaz Mehta, Adv.  
 Mr. Anish Kumar Gupta, Adv.  
 Ms. Deep Shikha Bharati, Adv.  
 Mr. Ankit Goel, Adv.  
 Mr. Nachiketa Joshi, Adv.  
 Mr. Rajeev Kr. Singh, Adv.  
 Mr. Nishant Kantneshwarkar, Adv.  
 Mr. Pattabhi Ram, Adv.  
 Mr. D. Bharat Kumar, Adv.  
 Mr. Sanjay Kr. Yadav, Adv.  
 Mr. Joyodeep Roy, Adv.

Mr. Mohit Choudhary, Adv.  
 Ms. Varnika Singh, Adv.  
 Ms. Jyoti Mendiratta, Adv.

Mr. Rahul Narayan, Adv.  
 Mr. Mala Narayan, Adv.  
 Mr. Shivam Vaidialingam, Adv.

Ms. Aishwarya Bhati, Adv.

Mr. P.R. Kovilan Poongkuntran, Adv.  
 Mrs. Geetha Kovilan, Adv.

For Respondent(s)  
 (For UIADAI)

Mr. Mohan Parasaran, S.G.  
 Mr. Zoheb Hossain, Adv.  
 Ms. Aditi Dani, Adv.  
 Mr. Vakul Sharma, Adv.  
 Mr. Vidya Sagar, Adv.  
 Ms. Seema Sharma, Adv.  
 Mr. D.S. Mahra, Adv.

for

State of Assam

Mr. Krishna Sarma, AAG  
 Mr. Riku Sarma, Adv.  
 Mr. Navnit Kumar, Adv.  
 M/s. Corporate Law Group

for

(U.T. Chandigarh)

Ms. Vimla Sinha, Adv.  
 Mr. Gopal Singh, Adv.

(St. of Chhattisgarh)

Mr. C.D. Singh, Adv.

(NCT of Delhi)

Mr. Harish Salve, Sr. Adv.  
 Mr. J.M. Kalia, Adv.  
 Mr. Brijesh Kr. Upadhyay, Adv.  
 Mr. V. Arora, Adv.  
 Mr. D.S. Mahra, Adv.

(For ECI)

Mr. Mohit D. Ram, Adv.

(St. of Gujarat)

Ms. Hemantika Wahi, Adv.  
 Ms. Giss Antony, Adv.

(St. of Haryana)

Mr. Narender Hooda, Sr. AAG  
 Mr. Bano Deswal, Adv.  
 Mr. Manjit Singh, AAG  
 Ms. Vivekta Singh, Adv.  
 Mr. Tarjit Singh, Adv.  
 Ms. Nupur Choudhary, Adv.  
 Mr. Kamal Mohan Gupta, Adv.

(St. of H.P.)

Mr. J.S. Attri, Sr. Adv.  
 Mr. Suryanarayana Singh, Adv.  
 Mr. V.K. Sharma, Adv.  
 Ms. Priyanka Bhardihoke, Adv.

(St. of Jharkhand)

Mr. Harish N. Salve, Sr. Adv.  
 Mr. Tapes Kumar Singh, Adv.  
 Mr. Mohd. Waquas, Adv.  
 Mr. Kumar Anurag Singh, Adv.

State of Karnataka

Ms. Anitha Shenoy, Adv.



Mr. Abhinav Mukerji, Adv  
 Ms. Purnima Krishna, Adv.  
 Ms. Bihu Sharma, Adv.

State of Kerala  
 Mr. R. Basanth, Sr. Adv.  
 Mr. Jogya Scaria, Adv.  
 Mr. K.K. Sudheesh, Adv.

(St. of M.P.)  
 Mr. Mishra Saurabh, Adv.  
 Ms. Vanshaja Shukla, Adv.  
 Mr. Ankit Lal, Adv.

(St. of Maharashtra)  
 Mr. Shankar Chillarge, Adv.  
 Mr. Aniruddha P. Mayee, Adv.  
 Mr. Charudatta Mahindrakar, Adv.

State of Manipur  
 Mr. Sapam Biswajit Mete, Adv.  
 Mr. Ashok Kumar Singh, Adv.

(St. of Mizoram)  
 Mr. K.N. Madhusoodhanan, Adv.  
 Mr. T.G. Narayanan Nair, Adv.

(St. of Nagaland)  
 Mrs. K. Enatoli Sema, Adv.  
 Mr. Amit Kumar Singh, Adv.

(St. of Puducherry)  
 Mr. V.G. Pragasam, Adv.  
 Mr. S.J. Aristotle, Adv.  
 Mr. Prabu Ramasubramanian, Adv.

(St. of Punjab)  
 Mr. Sidharth Luthra, ASG  
 Mr. Nitin Saluja, Adv.  
 Mr. Ashok Aggarwal, AG, Punjab  
 Mr. Sanchar Anand, AAG  
 Mr. Jagjit Singh Chhabra, Adv.

(St. of Rajasthan)  
 Mr. Shiv Mangal Sharma, AAG  
 Ms. Abhinandini Sharma, Adv.  
 Mr. Suresh Narayan Singh, Adv.  
 Mr. Irshad Ahmad, Adv.  
 Ms. Pragati Neekhara, Adv.

(For RBI)  
 Mr. Jayant Bhushan, Sr. Adv.  
 Mr. H.S. Parihar, Adv.  
 Mr. Kuldeep S. Parihar, Adv.

(St. of Sikkim)  
 Mr. A. Mariarputham, AG  
 Mrs. Aruna Mathur, Adv.  
 Mr. Yusuf Khan, Adv.  
 for M/S Arputham, Aruna & Co., Adv.

(St. of Tamilnadu)  
 Mr. Subramonium Prasad, AAG  
 Mr. B. Balaji, Adv.  
 Mr. R. Rakesh Sharma, Adv.  
 Mr. Anand Sathiyaseelan, Adv.  
 Mr. A. Selvin Raja, Adv.

(St. of Tripura)  
 Mr. Gopal Singh, Adv.  
 Mr. Ritu Raj Biswas, Adv.

(St. of W.B.)  
 Mr. Soumitra G. Chaudhuri, Adv.  
 Mr. Anip Sachthey, Adv.

Mr. S.S. Shamshery, Adv.  
 Mr. Bharat Sood, Adv.  
 Mr. Varun Punia, Adv.  
 Mr. Sandeep Singh, Adv.  
 Mr. Amit Sharma, Adv.

Mr. Varinder Kumar Sharma, Adv  
 Mr. Sai Kaunna Rajgopal, Adv.

Mr. Jai Sai Deepak, Adv.  
 Mr. T. George, Adv.  
 Mr. Arjun Ranganthan, Adv.

Ms. C.K. Sucharita, Adv.

Mr. Dinkar Kalra, Adv.

Mr. Jitender Kumar Bhatia, Adv.  
 Mr. Mukesh Verma, Adv.

(I.A.No.9 & 10/2014  
 in WP(C)494/2012

Mr. Garvesh Kabra, Adv.  
 Mr. Amit Singh, Adv.  
 Ms. Pooja Kabra, Adv.

(I.A.No.11 & 12/2014  
 in WP(C)494/2012

Mr. K.K. Venugopal, Sr. Adv.  
 Mr. Gopal Sankaranarayanan, Adv.  
 Mr. Vikramaditya Awasthi, Adv.  
 Mr. Ankur Talwar, Adv.  
 Mr. A.S. Shefali, Adv.  
 Mr. Prashant, Adv.  
 Ms. Savita Singh, Adv.

UPON hearing counsel the Court made the following

# ORDER

Mr. Shyam Divan, learned senior counsel appearing on behalf of the petitioner in W.P.(C) NO.829/ 2013 resumed his arguments at 10.35 a.m. and was on his legs till the Court rose for the day.

Matters remained part heard.

List on Thursday, the 13th February, 2014 as part heard.

(O.P. Sharma)	(Deepak Mansukhani)	(M.S. Negi)
Court Master	Court Master	Assistant Registrar



ITEM NO.1(PH)

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY (RETD) &amp; ANR . . . . . Petitioner(s)

VERSUS . . . . .

UNION OF INDIA &amp; ORS. . . . . Respondent(s)

(With appln(s) for stay and impleadment and clarification/  
modification of Court's order and intervention and  
directions and permission to file additional documents in  
I.A. No. 11 and office report) (FOR FINAL DISPOSAL)

WITH

W.P(C) NO. 829 of 2013  
With appln.(s) for interim relief and impleadment and office  
report)  
(For Final Disposal)

W.P(C) NO. 932 of 2013  
With appln.(s) for directions and office report)

T.C.(C) NO. 152 of 2013

T.C.(C) NO. 151 of 2013  
(With appln.(s) for impleadment as party respondent and  
modification of Court's order)

W.P(C) NO. 833 of 2013  
(With appln.(s) for directions and impleadment and  
permission to file addl.documents in I.A.No.3 and office  
report)  
(FOR FINAL DISPOSAL)

CONMT.PET.(C)NO.144/2014 IN W.P.(C)NO.494/2012

Date: 13/02/2014 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN  
HON'BLE MR. JUSTICE J. CHELAMESWAR  
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.  
Mr. Pratap Venugopal, Adv.  
Ms. Meenakshi Chauhan, Adv.  
Mr. Nirman Sharma, Adv.  
Mr. Gaurav Nair, Adv.  
Mr. Nirman, Adv.  
for M/S. K.J. John & Co., Adv.

I.A. No. 4-5 in  
WP(C) No. 494/2012 Mr. L. Nageswara Rao, ASG  
Mr. Amit Meharia, Adv.  
Ms. Khushbu Jain, Adv.  
Ms. Rishika Singh, Adv.  
for M/s. Meharia & Company, Adv.

Mr. P.S. Narasimha, Sr. Adv.  
Ms. V. Mohana, Adv.  
Mr. B. Ragunath, Adv.  
Mr. Vijay Kumar, Adv.

Mr. Ankit Goel, Adv.  
Mr. Anish Kumar Gupta, Adv.  
Mr. Sanjay Kr. Yadav, Adv.

	Mr. Soli J. sorabjee, Sr. Adv.
	Ms. Mehernaz Mehta, Adv.
	Mr. Anish Kumar Gupta, Adv.
	Ms. Deep Shikha Bharati, Adv.
	Mr. Ankit Goel, Adv.
	Mr. Nachiketa Joshi, Adv.
	Mr. Rajeev Kr. Singh, Adv.
	Mr. Nishant Kantneshwarkar, Adv.
	Mr. Pattabhi Ram, Adv.
	Mr. D. Bharat Kumar, Adv.
	Mr. Sanjay Kr. Yadav, Adv.
	Mr. Joyodeep Roy, Adv.
	Mr. Mohit Choudhary, Adv.
	Ms. Varnika Singh, Adv.
	Ms. Jyoti Mendiratta, Adv.
	Mr. Rahul Narayan, Adv.
	Mr. Mala Narayan, Adv.
	Mr. Shivam Vaidialingam, Adv.
	Ms. Aishwarya Bhati, Adv.
	Mr. P.R. Kovilan Poongkuntran, Adv.
	Mrs. Geetha Kovilan, Adv.
For Respondent(s) (For UIADAI)	Mr. Mohan Parasaran, S.G.
	Mr. Zoheb Hossain, Adv.
	Ms. Aditi Dani, Adv.
	Mr. Vakul Sharma, Adv.
	Mr. Vidya Sagar, Adv.
	Ms. Seema Sharma, Adv.
for	Mr. D.S. Mahra, Adv.
State of Assam	Mr. Krishna Sarma, AAG
	Mr. Riku Sarma, Adv.
	Mr. Navnit Kumar, Adv.
for	M/s. Corporate Law Group
A&N Administration	Mr. Balasubramanian, Adv.
	Mr. K.V. Jgdishavaran, Adv.
	Ms. G. Indira, Adv.
(U.T. Chandigarh)	Ms. Vimla Sinha, Adv.
	Mr. Gopal Singh, Adv.
(St. of Chhattisgarh)	Mr. C.D. Singh, Adv.
State of Bihar	Mr. Gopal Singh, Adv.
	Mr. Manish Kumar, Adv.
	Mr. Abhinav Mukerji, Adv.
	Ms. Bihu Sharma, Adv.
	Ms. Purnima Krishna, Adv.
(NCT of Delhi)	Mr. Harish Salve, Sr. Adv.
	Mr. J.M. Kalia, Adv.
	Mr. Brijesh Kr. Upadhyay, Adv.
	Mr. V. Arora, Adv.
	Mr. D.S. Mahra, Adv.
(For ECI)	Mr. Mohit D. Ram, Adv.
(St. of Gujarat)	Ms. Hemantika Wahi, Adv.
	Ms. Giss Antony, Adv.
(St. of Haryana)	Mr. Narender Hooda, Sr. AAG
	Mr. Bano Deswal, Adv.
	Mr. Vikas S., Adv.
	Mr. Manjit Singh, AAG
	Ms. Vivekta Singh, Adv.
	Mr. Tarjit Singh, Adv.



Ms. Nupur Choudhary, Adv.  
 Mr. Kamal Mohan Gupta, Adv.

(St. of H.P.) Mr. J.S. Attri, Sr. Adv.  
 Mr. Suryanarayana Singh, Adv.  
 Mr. V.K. Sharma, Adv.  
 Ms. Priyanka Bharihoke, Adv.

(St. of Jharkhand) Mr. Harish N. Salve, Sr. Adv.  
 Mr. Tapesk Kumar Singh, Adv.  
 Mr. Mohd. Waquas, Adv.  
 Mr. Kumar Anurag Singh, Adv.

State of Karnataka Ms. Anitha Shenoy, Adv.  
 Mr. Abhinav Mukerji, Adv.  
 Ms. Purnima Krishna, Adv.  
 Ms. Bihu Sharma, Adv.

State of Kerala Mr. R. Basanth, Sr. Adv.  
 Mr. Jogy Scaria, Adv.  
 Mr. K.K. Sudheesh, Adv.

(St. of M.P.) Mr. Mishra Saurabh, Adv.  
 Ms. Vanshaja Shukla, Adv.  
 Mr. Ankit Lal, Adv.

(St. of Maharashtra) Mr. Aniruddha P. Mayee, Adv.  
 Mr. Charudatta Mahindrakar, Adv.

State of Manipur Mr. Sapam Biswajit Metei, Adv.  
 Mr. Ashok Kumar Singh, Adv.

(St. of Mizoram) Mr. K.N. Madhusoodhanan, Adv.  
 Mr. T.G. Narayanan Nair, Adv.

(St. of Nagaland) Mrs. K. Enatoli Sema, Adv.  
 Mr. Amit Kumar Singh, Adv.

(St. of Puducherry) Mr. V.G. Pragasaam, Adv.  
 Mr. S.J. Aristotle, Adv.  
 Mr. Prabu Ramasubramanian, Adv.

(St. of Punjab) Mr. Sidharth Luthra, ASG  
 Mr. Nitin Saluja, Adv.  
 Ms. Supriya Juneja, Adv.  
 Mr. Ashok Aggarwal, AG, Punjab  
 Mr. Sanchar Anand, AAG  
 Mr. Jagjit Singh Chhabra, Adv..

(St. of Rajasthan) Mr. Shiv Mangal Sharma, AAG  
 Mr. Sitiesh Narayan Singh, Adv.  
 Ms. Pragati Neekhra, Adv.

(For RBI) Mr. Jayant Bhushan, Sr. Adv.  
 Mr. Kuldeep S. Parihar, Adv.  
 Mr. H.S. Parihar, Adv.

(St. of Sikkim) Mr. A. Mariarputham, AG  
 Mrs. Aruna Mathur, Adv.  
 Mr. Yusuf Khan, Adv.  
 for M/S Arputham, Aruna & Co., Adv

(St. of Tamilnadu) Mr. B. Balaji, Adv.  
 Mr. R. Rakesh Sharma, Adv.  
 Mr. Anand Sathiyaseelan, Adv.  
 Mr. A. Selvin Raja, Adv.

(St. of Tripura) Mr. Gopal Singh, Adv.  
 Mr. Ritu Raj Biswas, Adv.

(St. of W.B.) Mr. Soumitra G. Chaudhuri, Adv.  
 Mr. Anip Sachthey, Adv.

Mr. S.S. Shamsbery, Adv.  
Mr. Bharat Sood, Adv.  
Mr. Varun Punia, Adv.  
Mr. Sandeep Singh, Adv.  
Mr. Amit Sharma, Adv.

Mr. Varinder Kumar Sharma ,Adv

Mr. Sai Kaunna Rajgopal, Adv.  
Mr. Jai Sai Deepak, Adv.  
Mr. T. George, Adv.  
Mr. Arjun Ranganthan, Adv.

Ms. C.K. Sucharita, Adv.

Mr. Dinkar Kalra, Adv.

Mr. Jitender Kumar Bhatia, Adv.  
Mr. Mukesh Verma, Adv.

(I.A.No.9 & 10/2014  
in WP(C)494/2012

Mr. Garvesh Kabra, Adv.  
Mr. Amit Singh, Adv.  
Ms. Pooja Kabra, Adv.

(I.A.No.11 & 12/2014  
in WP(C)494/2012

Mr. K.K. Venugopal, Sr. Adv.  
Mr. Gopal Sankaranarayanan, Adv.  
Ms. Shefali Vikramaditya, Adv.  
Ms. Savita Singh, Adv.

UPON hearing counsel the Court made the following

# O R D E R

Mr. Shyam Divan, learned senior counsel appearing on behalf of the petitioner in W.P.(C)NO.829/2013 resumed his arguments at 11.25 a.m. and was on his legs till the Court rose for the day.

Matters remained part heard.

List on Tuesday, the 18th February, 2014 as part heard.

O.P. Sharma)  
Court Master

(Deepak Mansukhani)  
Court Master

(M.S. Negi)  
Assistant Registrar



ITEM NO.2 (PH)

COURT NO.4

SECTION PIL

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
WRIT PETITION (CIVIL) NO(s). 494 OF 2012

JUSTICE K.S.PUTTASWAMY (RETD) & ANR

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for stay and impleadment and clarification/  
modification of Court's order and intervention and  
directions and ermission to file additional documents in I.A.  
No. 11 and office report)

(FOR FINAL DISPOSAL)

WITH

W.P(C) NO. 829 of 2013

(With appln.(s) for interim relief and impleadment and office  
report)

(For Final Disposal)

W.P(C) NO. 932 of 2013

(With appln.(s) for directions and office report)

T.C.(C) NO. 152 of 2013

T.C.(C) NO. 151 of 2013

(With appln.(s) for impleadment as party respondent and  
modification of Court's order)

W.P(C) NO. 833 of 2013

(With appln.(s) for directions and impleadment and ermission  
to file addl.documents in I.A.No.3 and office report)

(FOR FINAL DISPOSAL)

CONMT.PET.(C)NO.144/2014 IN W.P.(C)NO.494/2012

Date: 25/02/2014 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE B.S. CHAUHAN

HON'BLE MR. JUSTICE J. CHELAMESWAR

HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)

Mr. Shyam Divan, Sr. Adv.

Mr. Pratap Venugopal, Adv.

Ms. Meenakshi Chauhan, Adv.

Mr. Nirman Sharma, Adv.

Mr. Gaurav Nair, Adv.

Mr. Prasanna S, Adv.

Ms. Krishna Kedia, Adv.

Mr. Anuj Sarma, Adv.

Mr. Nirman, Adv.

M/S. K.J. John & Co., Adv.

I.A. No. 4-5 in

WP(C) No. 494/2012

for

Mr. L. Nageswara Rao, ASG

Mr. Amit Meharia, Adv.

Ms. Khushbu Jain, Adv.

Ms. Rishika Singh, Adv.

for

M/s. Meharia & Company, Adv.

Mr. P.S. Narasimha, Sr. Adv.

Ms. V. Mohana, Adv.

Mr. B. Ragunath, Adv.

Mr. Vijay Kumar, Adv.

Mr. Soli J. Sorabjee, Sr. Adv.

Mr. Ankit Goel, Adv.

Ms. Mehernaz Mehta, Adv.

Mr. Anish Kumar Gupta, Adv.

Mr. Sanjay Kr. Yadav, Adv.

	Ms. Deep Shikha Bharati, Adv.
	Mr. Ankit Goel, Adv.
	Mr. Pattabhi Ram, Adv.
	Mr. Nachiketa Joshi, Adv.
	Mr. Rajeev Kr. Singh, Adv.
	Mr. Nishant Kantneshwarkar, Adv.
	Mr. D. Bharat Kumar, Adv.
	Mr. Joyodeep Roy, Adv.
	Mr. Meru Sagar, Adv.
	Mr. Mohit Chaudhary, Adv.
	Ms. Varnika Singh, Adv.
	Ms. Jyoti Mendiratta, Adv.
	Mr. Rahul Narayan, Adv.
	Mr. Mala Narayan, Adv.
	Mr. Shivam Vaidialingam, Adv.
	Ms. Aishwarya Bhati, Adv.
	Mr. P.R. Kovilan Poongkuntran, Adv.
	Mrs. Geetha Kovilan, Adv.
For Respondent(s) (For UIADAI)	Mr. Mohan Parasaran, S.G.
	Mr. Zoheb Hossain, Adv.
	Ms. Aditi Anil Dani, Adv.
	Mr. Vakul Sharma, Adv.
	Ms. Seema Sharma, Adv.
for	Mr. D.S. Mahra, Adv.
State of Assam	Mr. Krishna Sarma, AAG
	Mr. Riku Sarma, Adv.
	Mr. Navnit Kumar, Adv.
for	M/s. Corporate Law Group
(U.T. Chandigarh)	Ms. Vimla Sinha, Adv.
	Mr. Gopal Singh, Adv.
(St. of Chhattisgarh)	Mr. C.D. Singh, Adv.
	Ms. Sakshi Kakkar, Adv.
(NCT of Delhi)	Mr. J.M. Kalia, Adv.
	Mr. Brijesh Upadhaya, Adv.
(For ECI)	Mr. Mohit D. Ram, Adv.
(St. of Gujarat)	Ms. Hemantika Wahi, Adv.
	Ms. Preeti Bhardwaj, Adv.
(St. of Haryana)	Mr. Manjit Singh, AAG
	Ms. Nupur Choudhary, Adv.
	Mr. Kamal Mohan Gupta, Adv.
(St. of H.P.)	Mr. J.S. Attri, Sr. Adv.
	Mr. Suryanarayana Singh, Adv.
	Mr. V.K. Sharma, Adv.
(St. of Jharkhand)	Mr. Tapeshe Kumar Singh, Adv.
	Mr. Mohd. Waquas, Adv.
State of Karnataka	Ms. Anitha Shenoy, Adv.
State of Kerala	Mr. Jogy Scaria, Adv.
(St. of M.P.)	Mr. Mishra Saurabh, Adv.
	Ms. Vanshaja Shukla, Adv.
	Mr. Ankit Lal, Adv.
(St. of Maharashtra)	Mr. Shankar Chillarge, Adv.
	Mr. Aniruddha P. Mayee, Adv.

Mr. Charudatta Mahindrakar, Adv.

State of Manipur Mr. Sapam Biswajit Mete, Adv.  
Mr. Ashok Kumar Singh, Adv.

(St. of Mizoram) Mr. K.N. Madhusoodhanan, Adv.  
Mr. T.G. Narayanan Nair, Adv.  
Mr. Pragyan Sharma, Adv.  
Mr. Heshu K., Adv.

(St. of Nagaland) Mrs. K. Enatoli Sema, Adv.  
Mr. Amit Kumar Singh, Adv.

(St. of Puducherry) Mr. V.G. Pragasa, Adv.  
Mr. S.J. Aristotle, Adv.  
Mr. Prabu Ramasubramanian, Adv.

(St. of Punjab) Mr. Sidharth Luthra, ASG  
Ms. Supriya Juneja, Adv.  
Mr. Nitin Saluja, Adv.  
Mr. Sanchar Anand, AAG  
Mr. Jagjit Singh Chhabra, Adv.

(St. of Rajasthan) Mr. Shiv Mangal Sharma, AAG  
Mr. Akshat Anand, Adv.  
Ms. Ruchi Kohli, Adv.

(For RBI)  
R-4 Mr. Jayant Bhushan, Sr. Adv.  
Mr. Kuldeep S. Parihar, Adv.  
Mr. H.S. Parihar, Adv.

(St. of Sikkim) M/S Arputham, Aruna & Co., Adv.

(St. of Tamilnadu) Mr. B. Balaji, Adv.  
Mr. R. Rakesh Sharma, Adv.  
Mr. A. Selvin Raja, Adv.

(St. of Tripura) Mr. Gopal Singh, Adv.  
Mr. Ritu Raj Biswas, Adv.

(St. of W.B.) Mr. Soumitra G. Chaudhuri, Adv.  
Mr. Anip Sachthey, Adv.

(St. of Uttarakhand) Mr. Jitender Kumar Bhatia, Adv.  
Mr. Mukesh Verma, Adv.

Mr. S.S. Shamshery, Adv.  
Mr. Bharat Sood, Adv.  
Mr. Varun Punia, Adv.  
Mr. Sandeep Singh, Adv.  
Mr. Amit Sharma, Adv.

Mr. Varinder Kumar Sharma, Adv.

Ms. C.K. Sucharita, Adv.

Mr. Dinkar Kalra, Adv.

Mr. Abhinav Mukerji, Adv.  
Ms. Purnima Krishna, Adv.  
Ms. Bihu Sharma, Adv.

(I.A.No.9 & 10/2014 Mr. Garvesh Kabra, Adv.  
in WP(C)494/2012 Mr. Amit Singh, Adv.  
Ms. Pooja Kabra, Adv.

(I.A.No.11 & 12/2014 Mr. K.K. Venugopal, Sr. Adv.  
in WP(C)494/2012 Mr. Gopal Sankaranarayanan, Adv.  
Mr. Vikramaditya Awasthi, Adv.  
Mr. Ankur Talwar, Adv.  
Mr. A.S. Shefali, Adv.  
Mr. Prashant, Adv.  
Ms. Savita Singh, Adv.

UPON hearing counsel the Court made the following

O R D E R

Mr. Shyam Divan, learned senior counsel appearing on behalf of the petitioner in W.P.(C)NO. 829/2013 resumed his arguments at 2.05 p.m. and was on his legs till the Court rose for the day.

Matters remained part heard.

List on Tuesday, 4th March, 2014 as part heard.

(O.P. Sharma) (Deepak Mansukhani) (M.S. Negi)

Court Master Court Master Assistant Registrar

9/29/2014

## **Business Standard**

### **Modi backs UIDAI, seeks accelerated DBT rollout**

Asks officials to revive the National Identification Authority of India Bill

Sahil Makkar, Nitin Sethi & Surabhi Agarwal. New Delhi, July 05, 2014 Last updated at 23:30

Prime Minister Narendra Modi on Saturday gave a vote of confidence to the Unique Identification Authority of India (UIDAI), which is generating Aadhaar numbers for India's 1.2-billion strong population. He sought the speedy roll-out of the Direct Benefits Transfer (DBT) scheme, a flagship programme of the United Progressive Alliance (UPA) government.

This effectively ends a turf war, which had raised questions about the survival of the UIDAI project, and sets aside the committee of secretaries set up earlier this week to iron out differences between the home ministry, UIDAI and the informational technology ministry. It is learnt the prime minister has asked officials to revive the National Identification Authority of India Bill, trashed by the standing committee on finance, headed by Yashwant Sinha in the UPA regime.

COMING BACK TO LIFT.

- Many say the decision had been taken keeping in mind the need to trim subsidies
- FM has been tasked with dealing with ongoing Supreme Court cases on the matter
- PM sought DBT be expedited in the 300 districts where 80% have Aadhaar cards

"Finance Minister Jaitley has been asked to handle the legal issues surrounding UID," said a senior government functionary, on condition of anonymity. Other government officials, too, confirmed the development. Jaitley has also been tasked with dealing with ongoing Supreme Court cases on the matter. The apex court had stayed the UPA government's move to make Aadhaar mandatory for availing the benefits of government social schemes.

At a meeting on Saturday, Modi directed DBT for liquefied petroleum gas cylinders, pension and scholarships should be expedited in the 300 districts in which more than 80 per cent of the district population had received Aadhaar numbers.

Among those present at the meeting were Home Minister Rajnath Singh, Planning & Statistics Minister Rao Inderjit Singh, Finance Minister Arun Jaitley, Home Secretary Anil Goswami and UIDAI director-general Vijay Madan.

At the meeting, the prime minister made it clear the Aadhaar programme was directly under his control, as he was also chairman of the Planning Commission, sources told Business Standard.

Sources said the decision had been taken keeping in mind the need to trim subsidies in the coming Budget.

Earlier, Home Minister Rajnath Singh had given a unilateral nod for the National Citizenship Register, on the basis of the National Population Register (NPR).

At the same time, contradicting the home minister, the UIDAI had sought the Cabinet's approval to use the funds allocated for operations in Uttar Pradesh and Bihar.

Under the UPA government, both NPR and UIDAI had been given the mandate to collect biometric details of Indian residents. According to law, only NPR is mandated to collect such data and UIDAI is to de-duplicate this and generate a 16-digit Aadhaar number.

The Modi-led NDA government has stamped the decision of the previous government and ruled out the merger of UIDAI with NPR.

The decision, however, hasn't gone down well with home ministry officials, who were hoping to take over the entire work of collecting biometrics. "Our five-point agenda was to do the collection of entire biometrics ourselves, complete the NCR and ensure UIDAI only de-duplicates and give citizens a national identity card," said a senior official.

UIDAI officials said last week, they had already been directed by their parent ministry to ready the National Identification Authority of India Bill, to be reintroduced in Parliament. Currently, the Bill is in the Rajya Sabha.

"The Bill will have to be revised and resent for inter-ministerial consultation before it goes to the Cabinet," a government official told Business Standard. He added the Bill should be ready to be sent for consultation in the next two weeks. So far, UIDAI has given Aadhaar numbers to 640 million residents, with 177 million coming from the NPR.

RELATED KEYWORDS: UIDAI | Aadhaar-Schemes | AADHAAR

Govt looks to integrate Aadhaar with National Population Register

TNN | Jul 4, 2014, 03.29AM IST

NEW DELHI: The government on Thursday showed willingness to integrate the UIDAI (Aadhaar) project with National Population Register (NPR) which the NDA regime has been pushing over Aadhaar.

At an inter-ministerial meeting held at the home ministry on Thursday, it was discussed how the two projects could be integrated with UIDAI data being used by NPR and making a common pool. The meeting was attended by home minister Rajnath Singh, law minister Ravi Shankar Prasad and minister of state for planning Rao Inderjit Singh.

The idea, said sources, is to end the duplication that the previous regime allegedly embarked upon with both projects working independently.

The ministers took stock of the various aspects of NPR and Aadhaar, how to avoid duplication between the two and discussed the suggestion of marriage of NPR and Aadhaar schemes, a home ministry official said.

"During the meeting, the planning department argued that even without verification, Aadhaar had created at least some kind of identification data covering a large part of the population. It was discussed that this data could be used by NPR following verification," said the official.



The home ministry has already suggested that NPR and Aadhaar schemes should be merged under the Registrar General of India (RGI) or division of work between the two should be in such a way that enrolment is done entirely by NPR while UIDAI, which runs Aadhaar, carries out de-duplication ahead of generating the unique number.

The issue will be followed up by the secretaries of the ministries concerned in the coming days.

Incidentally, the UPA's flagship Aadhaar scheme was earlier criticized by a parliamentary standing committee, headed by BJP leader Yashwant Sinha, over its duplication with NPR exercise and security concerns arising out of its enrolment process, particularly its introductory system, and security of Aadhaar data in private hands.

The home minister has set a three-year deadline to identify genuine Indian citizens through the NPR project. The government also wants enumerators to conduct door-to-door verification across the country and issue NPR cards only to Indian nationals.

It is also planning to link NPR to voting rights, which means election identity cards would not be the sole document for eligibility to vote, officials said.

## Census of India : Frequently Asked Questions

Government of India  
Ministry of Affairs  
Office of the Registrar General & Census Commissioner,  
India, New Delhi-110011

### FAQ for NPR

1. What is the National Population Register (NPR)?
2. What are the objectives of the schemes?
3. What are the legal provisions under which the NPR is being created?
4. What are the procedures to be followed for creating the NPR?
5. Is it necessary to register for the NPR?
6. How a person can be registered in NPR?
7. What details the NPR will contain?
8. Will Non Resident Indians (NRI) be part of the NPR?
9. What records will be required to register for NPR?
10. What is to be done if the Acknowledgement slip is not available / lost?
11. How will the public know about these camps?
12. What is to be done if an individual misses the camp?
13. What is to be done if the household has not been covered in the NPR or if the individual has changed residence?
14. Is there any penalty for providing wrong information willfully or otherwise?
15. Is any payment required for enrolment under NPR?
16. Will Identity Cards be issued under the NPR?
17. How will the data collected for NPR be authenticated?
18. What is the connection between NPR and Aadhaar (UID Number)?

19. Does a person who has already enrolled with some other Registrar of UIDAI still have to register under NPR?
  20. Who are the authorities which can be contacted for re-dressel of complaint or for getting clarification?
1. What is the National Population Register (NPR)?  
Top The National Population Register (NPR) is a Register of usual residents of the country. It is being prepared at the local (Village level), sub District (Tehsil/Taluk level), District, State and National level under provisions of the Citizenship Act 1955 and the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003.
  2. What are the objectives of the schemes?  
Top The objective of the NPR is to create a comprehensive identity database in the country with full identification and other details by registering each and every usual resident in the country. This would help in better targeting the benefits and services under the Government schemes/programmes, improve planning and prevent identity fraud.
  3. What are the legal provisions under which the NPR is being created?  
Top The Citizenship Act 1955 was amended in 2004 by inserting Section 14A which provides for the following:- (1) The Central Government may compulsorily register every citizen of India and issue National Identity Card. (2) The Central Government may maintain a National Register of Indian Citizens and for that purpose establish a National Registration Authority. (3) On and from the date of

commencement of the Citizenship (Amendment) Act, 2003, the Registrar General, India, appointed under sub-section (1) of section 3 of the Registration of Births and Deaths Act, 1969 (18 of 1969) shall act as the National Registration Authority and he shall function as the Registrar General of Citizen Registration. (4) The Central Government may appoint such other officers and staff as may be required to assist the Registrar General of Citizen Registration in discharging his functions and responsibilities. (5) The procedure to be followed in compulsory registration of the citizens of in India shall be such as may be prescribed.

4. What are the procedures to be followed for creating the NPR? Top The procedures to be followed for creating the NPR have been laid down in the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003. Rule 3(4): The Central Government may, by an order issued in this regard, decide a date by which the population register shall be prepared by collecting information relating to all persons who are usually residing within the jurisdiction of local registrar. Rule 4(1): The Central Government shall, for the purpose of National Register of Indian Citizens, cause to carry throughout the country a house-to-house enumeration for collection of specified particulars relating to each family and individual, residing in a local area including the Citizenship status.
5. Is it necessary to register for the NPR? Top It is compulsory for every citizen of the country to register in a National

Register of Indian Citizens (NRIC) as per Section 14A of the Citizenship Act 1955 as amended in 2004. The NPR is the first step towards preparation of the NRIC. Out of the universal data set of residents, the subset of citizens would be derived after due verification of the citizenship status. Therefore it is compulsory for all usual residents to register under the NPR.

6. How a person can be registered in NPR? Top During the first phase of Census 2011 (in the month of April 2010-September 2010), enumerators have visited every household and have collected the details required for the NPR in a paper format. These forms have been scanned and the data has been entered into an electronic database. Biometric attributes- photograph, fingerprints and two iris prints are being added to the database by organizing enrolment camps in each local area. The enrolment will be done in the presence of Government servants appointed for this purpose.
7. What details the NPR will contain. Top The NPR would have the following details of every usual resident in the country (i) Name of Person, (ii) Relationship to head, (iii) Father's name, (iv) Mother's name (v) Spouse's name (if married), (vi) Sex, (vii) Date of Birth, (viii) Marital Status, (ix) Place of Birth, (x) Nationality as declared, (xi) Present address of usual residence, (xii) Duration of stay at present address, (xiii) Permanent residential address, (xiv) Occupation/ Activity, (xv) Educational qualification Also, three biometrics namely

photograph, 10 finger prints and 2 iris would be collected for persons of age 5 years and above.

8. Will Non Resident Indians (NRI) be part of the NPR? Top By definition, an NRI is not a usual resident of the country. Therefore, they would not be in the NPR till they are non residents. When they come back to India and take up usual residence within the country, they will be included in the NPR.
9. What records will be required to register for NPR? Top The individual details have already been collected during house to house visit by the enumerator. An Acknowledgement slip has also been given. This Acknowledgement slip should be carried to the enrolment camp. In case an intimation slip has been issued, that should be filled in and carried to the camp. No other records are required.
10. What is to be done if the Acknowledgement slip is not available / lost? Top The office copy of the Acknowledgement slip will be available at the camp with the officials concerned. The relevant slip will have to be searched out in such cases.
11. How will the public know about these camps? Top Publicity will be made in the local area regarding the duration and location of the enrolment camp for capturing of biometrics. Intimation slips will also be distributed house to house before the setting up of such camps wherever possible. The venue, date & time of biometrics will also be mentioned in it.
12. What is to be done if an individual misses the camp? Top Two camps will be held in every local area. If an individual misses

the first camp, intimation will be given to attend the second camp. In case second camp is also missed, chance will be given to enroll at camps that would be set up at the sub-district level until the designated date. After the designated date, the individuals name will be struck off from the NPR.

13. What is to be done if the household has not been covered in the NPR or if the individual has changed residence? Top A new form will have to be filled up at the camp. These forms will be verified by the authorities and the individuals details will be captured during the next camp.
14. Is there any penalty for providing wrong information willfully or otherwise? Top Providing any false information would attract penalties under Citizenship Rules 2003.
15. Is any payment required for enrolment under NPR? Top The enrolment will be done free of cost. No payment of any kind should be made to anybody for this purpose. In case any money is asked for any reason, the matter should be reported to the local authorities. Complaints can also be registered over the e mail and over phone.
16. Will Identity Cards be issued under the NPR? Top A proposal to issue Resident Identity Cards to all usual residents in the NPR of 18 years of age and above is under consideration of the Government. This Card would be a smart Card and would bear the Aadhaar number.
17. How will the data collected for NPR be authenticated? Top The biographic data has been collected by a Government

servant at the doorstep of the individual. The biometrics have also been collected in the presence of the government servant after verification of the Acknowledgement slip. After this, the biographic data along with the photograph and Aadhaar number will be displayed in the local area for inviting claims and objections. The lists will also be scrutinized by the local officials. These lists would also be placed in the Gram Sabhas and Ward Committees. This process of social audit would bring in transparency and equity.

18. What is the connection between NPR and Aadhaar (UID Number)? Top The NPR is a register of usual residents. The data collected in NPR will be sent to UIDAI for de-duplication and issue of Aadhaar Number. Thus the register will contain three elements of data – (i) demographic data, (ii) biometric data and (iii) the Aadhaar (UID Number).
19. Does a person who has already enrolled with some other Registrar of UIDAI still have to register under NPR? Top Yes. Under the NPR, certain processes like the collection of data at the doorstep of the individual by authorized persons, collection of biometrics after following a certain process, authentication through social audit, verification by Local authorities etc are mandatory. Thus, a person who has already enrolled with some other Registrar will have to get registered under NPR again.
20. Who are the authorities which can be contacted for re-dressel of complaint or for getting clarification? Top A proper



administrative hierarchy has been provided under NPR. At the village level, it is local village officer, at Tehsil/ Taluk level, it is Tehsildar/ Mamlatdar/ Sub-district officer and at the District level, it is District Magistrate/ Collector/ Deputy Commissioner. In each State/ UT, Director of Census Operations would co-ordinate all the matters relating to creation of NPR.

भारत सरकार



Government of India

I am

# NATIONAL POPULATION REGISTER

It is **mandatory** for all usual residents (citizens as well as non-citizens) to **register** in the **National Population Register (NPR)** under the Citizenship Act, 1955.

NPR camps will be held in every locality for collection of biometric data of all residents who are of age 5 years and above. **All usual residents are required to attend the NPR camp, even if their biometrics have been captured under Aadhaar.** Such persons already enrolled with Aadhaar are required to bring their Aadhaar letter/enrollment slip to the NPR camps.

For persons not so far enrolled under UIDAI, Aadhaar will be generated through NPR.

Date, time and venue of the NPR camp will be intimated by local authorities. **Please fill all applicable columns of the KYR+ form supplied to you and bring it to the camp.**

It is proposed to issue Resident Identity (smart) Cards bearing the Aadhaar number under the NPR.

**Registration in NPR is a right as well as a duty of every resident.**



Issued in public interest by  
Office of the Registrar General & Census Commissioner, India  
2A Mansingh Road, New Delhi - 110 011  
Toll Free Helpline: 1800 110 111 Website: [www.censusindia.gov.in](http://www.censusindia.gov.in)

a resident  
of  
India

मेरी पहचान मेरा अभिमान  
My Identity My Pride

## BIOMETRIC ENROLMENT FOR NATIONAL POPULATION REGISTER

During the House listing Operations of census 2011 held in MCD and Delhi Cantonment area between 1<sup>st</sup> May and 15<sup>th</sup> June 2010, the enumerator had visited each household and collected identity details of all usually residing household members for the database of the National Population Register. An Acknowledgement Slip had been given household, to be furnished at the time of collection of biometrics (photograph, ten finger print scan).

The work of collection of biometrics has already been completed in NDMC area and now being started in MCD and Delhi Cantonment areas. Biometrics of all household members, who were recorded as useful residents of the areas at the time of HLO/NPR, are to be collected.

The collection of biometric in your place at the following date, place and time

### LOCATION

DATE : 28/1, 29/1, 30/1 TIME : 10 A.M TO 6 P.M

Please make it convenient to visit and get the biometric enrolment of all household members in the age group of 5 years and above completed. As you are aware the enrolment is mandatory as per Citizenship Act 1955 and Citizenship Rules 2003.

In case any household member is not in a position to travel to the camp due to disability or any other reason, kindly inform the enumerator or bearer of pamphlet, their enrolment will be arranged at their residence subsequently.

PLEASE DO NOT FORGET TO BRING YOUR ACKNOWLEDGEMENT SLIP. In case you have misplaced the Acknowledgment Slip, you can find your name and serial number in the list of residents available at the camp itself.

In case you have shifted recently and were not covered in the NPR earlier at this address, kindly fill up the fresh schedule provided to you and hand over to the enumerator for the collection of biometrics in the second round.

Most of the household members must be having one or many of the identity documents mentioned in the format below; please fill in the format and bring it with you along with the concerned original documents for verification purposes. NO ORIGINAL DOCUMENT OR PHOTOCOPY NEEDS TO BE SUBMITTED.

Important : If a person has already been enrolled in UIDAI (AADHAR), will have to be enrolled in the NPR under the Citizenship Act, 1955 and Citizenship Rules, 2003 as mentioned above.

Director of Citizens Registration/

Director of Census Operations, Delhi

Household No.015 Form No.00629190 Ration Card No.

Sl.No	Name of the person in full	Voters ID Card Number	PAN Card number	Passport Number

(Name and signature of the enumerator)

(Name and signature of the respondent)

**ANNEXURE-P/6**

1. What is the National Population Register (NPR)? The National Population Register (NPR) is a Register of usual residents of the country. It is being prepared at the local (Village level), sub District (Tehsil/Taluk level), District, State and National level under provisions of the Citizenship Act 1955 and the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003.
2. What is the National Register of Indian Citizens (NRIC)? The National Register of Indian Citizens (NRIC) will be a Register of citizens of the country. It will be prepared at the local (Village level), sub District (Tehsil/Taluk level), District, State and National level after verifying the details in the NPR and establishing the citizenship of each individual. The NRIC, therefore, would be a sub-set of the NPR.
3. Is it necessary to register for the NPR? It is compulsory for every citizen of the country to register in a National Register of Indian Citizens (NRIC) as per Section 14A of the Citizenship Act 1955 as amended in 2004. The NPR is the first step towards preparation of the NRIC. Out of the universal dataset of all the usual residents, the subset of citizens would be derived after due verification of the citizenship status. Therefore, it is compulsory for all usual residents to register under the NPR.
4. Who is a usual resident? A usual resident of a local area, for the purpose of NPR, is defined as a person who has stayed in

the local area for the past 6 months or a person who intends to stay in the local area for the next 6 months.

5. Will the NPR include people who are not citizens of India?

Yes. The NPR would include citizens as well as non citizens. As long as a person is a usual resident of India, she/he would have to register under the NPR. However, the fact that a person is in the NPR does not confer a right to any person to claim citizenship. They would have to satisfy the various criteria laid down in the Citizenship Act 1955 to qualify for Indian citizenship.

6. Will Non Resident Indians (NRI) be part of the NPR? By

definition, an NRI is not a usual resident of the country.

Therefore, they would not be in the NPR till they are non residents. When they come back to India and take up usual residence within the country, they will be included in the NPR.

7. What details will NPR contain?

1. Name of Person

2. Relationship to head

3. Father's name

4. Mother's name

5. Spouse's name

6. Sex

7. Date of Birth

8. Marital Status

9. Place of Birth

10. Nationality as declared

11. Present address of usual residence
12. Duration of stay at present address
13. Permanent residential address
14. Occupation/ Activity
15. Educational qualification
16. Photograph
17. Ten Fingerprints (i.e. Prints of ten fingers of both hands)
18. 2 Iris Prints (prints of both eyes)

The biometrics will be collected as per the processes and standards laid down by the Unique Identification Authority of India (UIDAI).

8. How is a person to register for the NPR? During the first phase of Census 2011, enumerators have visited every household and have collected the details required for the NPR in a paper format. These forms have been scanned and the data has been entered into an electronic database in two languages - the State language and in English. Biometric attributes - photograph, ten (10) fingerprints and 2 iris images are being added to the NPR database by organizing enrolment camps in each local area. The enrolment will be done in the presence of Government servants appointed for this purpose.
9. How will the public know about the biometric camps for NPR? Publicity will be given in the local areas regarding the duration and location of the enrolment camps. Intimation slips (KYR + Form) will also be distributed house to house before commencement of such camps, wherever possible. Besides,

public will be informed through various other publicity measures like banners, announcement through mikes, drum beatings, posters etc.

10. What records will be required to register for NPR? No records are required for registration in the NPR. The details for NPR have already been collected during the visit of the enumerator to the household. An Acknowledgement slip has also been given. This should be carried to the enrolment camp. However, as part of the biometric enrolment process, the EPIC number, Passport number, Ration Card number etc. are also being collected from each household, if available. The intimation slip (KYR + Form) should be filled in for these additional data fields and carried to the camp.
11. Is any payment required for enrolment? The enrolment will be done free. No payment of any kind should be made to anybody for this purpose. In case, any money is asked for any reason, the matter should be reported immediately to the local authorities. Complaints can also be registered over the email and over phone.
12. What is to be done if the Acknowledgement slip is lost? The counter foil of the Acknowledgement slip will be available at the camp with the officials concerned. The relevant record pertaining to the household will have to be searched out in such cases.
13. What is to be done if the household has not been covered during the Census or if the individual has changed residence



after the Census? A new NPR form will be given at the camp and have to be filled up there. The filled-in forms will be submitted to the Government official, present at the camp. These forms will be verified by the authorities and the individuals biometric details will be captured during the next round of biometric camps.

14. What is to be done if an individual misses the camp? Two camps will be held in every local area. If an individual misses the first camp, intimation will be given to attend the second camp. In case the second camp is also missed, chance will be given to enroll at camps that would be set up at the subdistrict level until the designated date. After the designated date, the individuals name will be struck off the NPR.
15. How can a person, whose name has been struck off from the NPR, re-enter the NPR? A person whose name has been struck off from the NPR would be required to apply afresh with required documents. This will be verified by the designated officials. After the verification process is completed, the designated Officer would pass an order allowing the individuals to re-enter the NPR.
16. How will the data collected for NPR be authenticated? The biographic data has been collected by a Government servant at the doorstep of the individual. The biometrics have also been collected in the presence of government servants after verification of the Acknowledgement slip. After this, the

biographic data along with the photograph will be displayed in the local area for inviting claims and objections. The lists will also be scrutinized by the local officials. These lists would also be placed in the Gram Sabhas and Ward Committees. Once the vetting by the local authorities is completed, the NPR database will be finalized. This process of social audit would bring in transparency and equity.

17. What is the connection between NPR and Aadhaar (UID Number)? The NPR is a register of usual residents. The data collected in NPR after authentication will be sent to UIDAI for de-duplication and issue of Aadhaar Number. Thus the register will contain three elements of data - (i) demographic data, (ii) biometric data and (iii) the Aadhaar (UID Number).
18. Does a person who has already enrolled with some other Registrar of UIDAI still have to register under NPR? Yes. Under the NPR, certain processes like the collection of data at the doorstep of the individual by authorized persons, collection of biometrics after following a certain process, authentication through social audit, verification by authorities etc is mandatory. Thus, a person who has already enrolled with some other Registrar of UIDAI will have to register under NPR again.
19. What is the need to create an NPR? The objective of the NPR is to create a comprehensive identity database in the country with full identification and other details by registering every usual resident in the country. This would help in better

targeting of the benefits and services under the Government schemes/programmes, improve NPR and prevent identity fraud.

20. What is background of this scheme? The genesis of the scheme was in 1986, when a pilot scheme was implemented for issue of identity cards to residents in selected border areas of Rajasthan. In 1993 a legislation - The Specified Areas (Issue of Identity Cards to Residents) Bill was introduced in the Parliament but could not be passed. After the Kargil war, a Group of Ministers (GoM) constituted to review the National Security system recommended that there should be compulsory registration of citizens and noncitizens living in India, which would facilitate preparation of a national register of citizens. The GoM also recommended that all citizens should be given a Multipurpose National Identity Card (MPNIC) and non-citizens should be issued identity cards of a different colour and design. The recommendation of the GoM was accepted by the Government in 2001. Following this, the Citizenship Act 1955 was amended in 2004 by inserting Section 14A, which allowed the Central Government to inter alia compulsorily register every citizen of India and issue National Identity card and maintain a National Register of Indian Citizens (NRIC). The Registrar General, India was designated as the Registrar General of Citizen Registration. Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 2003 were also framed. A pilot project

was conducted at several places across the country to test the processes and procedures between 2003 and 2006. The results of the pilot were placed before an Empowered Group of Ministers (EGoM) which recommended the creation of an NPR as the first step towards creating a National Register of Indian Citizens (NRIC). The NPR would be the master data base, of which, the NRIC would be a sub set. Accordingly, the process of creating the NPR has been set in motion.

21. What are the legal provisions under which the NPR is being created? The Citizenship Act 1955 was amended in 2004 by inserting Section 14A which provides for the following:
1. The Central Government may compulsorily register every citizen of India and issue National Identity Card.
  2. The Central Government may maintain a National Register of Indian Citizens and for that purpose establish a National Registration Authority.
  3. On and from the date of commencement of the Citizenship (Amendment) Act, 2003, the Registrar General, India, appointed under sub-section (1) of section 3 of the Registration of Births and Deaths Act, 1969 (18 of 1969) shall act as the National Registration Authority and he shall function as the Registrar General of Citizen Registration.
  4. The Central Government may appoint such other officers and staff as may be required to assist the Registrar General of Citizen Registration in discharging his functions and responsibilities.

5. The procedure to be followed in compulsory registration of the citizens of India shall be such as may be prescribed.

22. What are the procedures to be followed for creating the NPR?

The procedures to be followed for creating the NPR have been laid down in the Citizenship (Registration of Citizens and issue of National Identity Cards)

- Rules, 2003, and the guidelines being issued from time to time. Rule 3(4) : The Central Government may, by an order issued in this regard, decide a date by which the population register shall be prepared by collecting information relating to all persons who are usually residing within the jurisdiction of local registrar. A Notification to this effect was published in the Gazette of India on 15.03.2010.
- Rule 4(1) : The Central Government shall, for the purpose of National Register of Indian Citizens, cause to carry throughout the country a house-to-house enumeration for collection of specified particulars relating to each family and individual, residing in a local area including the Citizenship status.

A house to house enumeration for collection of specified parameters relating to each family and individual residing in a local area was conducted along with the first phase of Census 2011.

23. Does the Citizenship Act 1955 cover Registration of usual residents or is it restricted to registration of Citizens alone?

The provisions of the Citizenship Act and Citizenship Rules give powers to the Central Government to lay down the

procedures. The procedure as laid down envisages the creation of the NPR (a register of usual residents) as the first step towards creation of the NRIC (register of Indian citizens). Thus, the legal provisions of the Act and Rules cover the NPR as much as NRIC.

24. What are the responsibilities of the Central, State/UT Governments in the creation of NPR? The responsibilities of the Central, State/UT Governments in the creation of NPR have been laid down in the Citizenship (Registration of Citizens and issue of National Identity Cards) Rules, 200,).
- Rule 5 : Every official of the Central Government, State Government, local bodies or their undertakings shall assist the Registrar General of Citizen Registration or any person authorized by him in this behalf, in preparation of the database relating to each family and every person, and in implementing the provisions of these rules. Rule 16(1) : The State Governments shall designate an officer or a person as local registrar of citizen registration for each lowest geographical jurisdiction, that is to say, of a village or rural area or town, or ward or demarcated area (demarcated by the Registrar General of Citizen Registration) within a ward in a town or urban area who shall function as Local Registrar for the purpose of preparation of Local Register of Indian Citizens.
  - Rule 16(4) : For the purposes of implementing and carrying out the provisions of these rules, the district registrar, the

sub-district or Taluk Registrar and the Local Registrar of Citizen Registration shall be under the supervision and control of the Registrar General of Citizen Registration.

25. What is the current status of the project? The data collection (in paper format) for creating the NPR has been completed in the country along with House listing and Housing Census in 2010. The scanning of these filled in NPR Schedules (approx. 26 crore) has also been completed. The work of data entry of more than 14 crore individuals has been completed so far. Biometric enrolment of more than 50 lakh persons has also been done.
26. When is the data entry and biometric enrolment likely to be completed? The work of data entry and biometric enrolment has been entrusted to two agencies - a consortium of central Public Sector Undertakings (BEL, ITIL and ECIL) and Department of Information Technology (DIT), Government of India. The CPSUs are covering the coastal States/UTs, Delhi, Manipur and Nagaland. They are expected to complete the data entry by March 2012 and the biometric enrolment by December 2012. This covers a population of around 57 crore persons. As far as the States/UTs covered by DIT, Tenders have already been called for data entry and biometric enrolment. The work is expected to be awarded in October 2011 and commenced shortly thereafter. The expected date of completion is mid 2013.

27. Will Identity Cards be issued under the NPR? A proposal to issue Resident Identity Cards to all usual residents in the NPR of 18 years of age and above is under consideration of the Government. This proposed Identity Card would be a smart Card and would bear the Aadhaar number.
28. How will the NPR database be updated? A mechanism to continuously update the NPR database is being formulated. It is envisaged that capacity will be created at the level of the sub District to continuously update and maintain the NPR database. Besides catering to birth and deaths, alteration in name, address, etc are also being contemplated under this scheme.
29. What financial assistance is being provided to the States/UTs under this scheme? The entire expenditure in creating the NPR is being borne by the Government of India. This includes payment of Honorarium to the officials involved in the creation of the NPR, contingent expenditures, and publicity. The cost of data entry and enrolment is directly paid to the CPSUs and DIT. Thus, the State/UT Government does not have to incur any expenditure in this regard.
30. What other benefits will the State/UT derive? Up to 10 additional data fields are being collected (KYR +) along with the NPR. This would allow mapping of the Aadhaar Number across the State data bases without any need for the concerned State departments to duplicate the same effort. The Identity (smart) Cards that are proposed would allow off-



line mode of authentication. The maintenance mechanism which is being proposed would allow the data bases to be dynamically updated. E-Governance applications can be developed on this platform. Central Schemes such as MNREGA and BPL are already working on such applications.

31. Is there any penalty for providing wrong information willfully or otherwise? Providing any false information would attract penalties under Citizenship Rules 2003.
32. Who are the authorities which can be contacted for redressal of complaint or for getting clarification?

A proper administrative hierarchy has been provided under NPR. At the village level, it is local village officer, at Tehsil/ Taluk level, it is Tehsildar/ Mamlatadar/ Subdistrict officer and at the District level, it is District Magistrate/ Collector/ Deputy Commissioner. In each State/ UT, Director of Census Operations will co-ordinate all the matters relating to creation of PR.

**ANNEXURE -P/7**

IN THE HIGH COURT OF BOMBAY AT GOA.

CRIMINAL WRIT PETITION NO. 10 OF 2014

UNIQUE IDENTIFICATION  
AUTHORITY OF INDIA THROUGH  
ITS DIRECTOR GENERAL AND ANR., ... Petitioners

Versus

CENTRAL BUREAU OF INVESTIGATION ... Respondents.

Mr. Ravi Prakash, Ms. Udit Singh and Mr. H. D. Naik, Advocates for the petitioners.

Mr. Joseph Vaz, Special Public Prosecutor for the respondent no.1.  
Mr. A. N. S. Nadkarni, Advocate General with Mr. D. Lawande, Additional Public Prosecutor for the respondent no.2.

Coram:-SMT. R. S. DALVI &  
F. M. REIS, JJ.

Date:- 26th February, 2014

P.C.

Rule.

2. Mr. Joseph Vaz, learned Special Public Prosecutor waives notice on behalf of the respondent no.1 and Mr.D. Lawande, learned Additional Public Prosecutor waives notice on behalf of the respondent no.2.
3. The petitioner who is Unique Identification Authority of India itself has sought to challenge the order of the learned Magistrate dated 22.10.2013 passed for providing certain data to the CBI upon an application of the CBI under Section 91 of the Criminal Procedure Code.
4. The application shows the purpose of obtaining the necessary data; it is in respect of investigation in the case of a rape of

seven years old child who was the school student and in which case the incident transpired in a school toilet by an unknown person during the recess time on a given date.

5. The CBI has certain chance fingerprints obtained from the place of the incident. It was the case of the CBI that thumb impression available with the petitioner could be compared with the chance fingerprints obtained by the CBI to trace the accused.
6. The investigation is yet in progress. The accused is not traced. The petitioner has refused to co-operate. The petitioner has challenged the order of the learned Magistrate for providing the necessary data for further investigation.
7. The petitioner has taken up the legal contention of privacy, not of itself, but of the various applicants and other card holders, if such information is to be provided. It is argued on behalf of the petitioner that the impugned order is cryptic and without any reason and hence it is required to be set aside.
8. The petitioner has relied upon the judgment of in the case of District Registrar and Collector Vs. Canara Bank and others (2005) 1 SCC 496 in which the parameters for providing information which would not infringe the privacy of any individual is being considered. The judgment also mentions the parameters and the limits of providing information with the reasons and objectives for an application in that behalf. The Supreme Court has considered the law relating to unreasonable searches and seizures, arbitrary inference with

the privacy of family, Court and correspondence and unreasonableness qua the right of the persons in exercising their privacy. In that case the documents from certain financial institutions, bank etc which were asked for by the Government authority were refused as they transgressed those parametres.

The Supreme Court laid down the necessity of reasonable and warranted searches and seizures to be made which would not violate the fundamental rights under Article 20(3) of the Constitution of the India.

9. In this petition, we would have to see from the observations of the Supreme Court whether the fingerprints required for the purpose of further investigation in a case of a rape by an unknown person upon a minor child could be obtained by the CBI. The petitioner has informed the Court that there are number of petitions pending before the Supreme Court and which are being heard along with the main petition no. 494/2012 under Article 32 of the Constitution of India filed by Justice K.S.Puttaswamy Vs. Union of India. Copies of the various petitions are filed before us today.
10. The CBI initially required the entire data available of all the persons in the State. That request was modified and only the fingerprints of three specified persons were required. The petitioner refused to provide the information. CBI has obtained independent information by obtaining fingerprints of those persons. Those persons are now not wanted by the CBI

as those fingerprints have not matched with the chance fingerprints taken by the CBI. Thereafter, the CBI has sent a letter to the petitioner enclosing the CD containing a soft copy of the chance fingerprints and requested the petitioner to compare its data with the bio-metric data furnished by the CBI.

11. It is contended by the petitioner that it is impossible in view of their limited competence. Counsel on behalf of the petitioner stated that they are incompetent to have any comparison of the data with what is in the data base based upon such bio-metric information as their software does not permit such comparison.
12. Learned Advocate General and counsel on behalf of the CBI have stated to Court that the chance fingerprints obtained by the CBI can be compared with the limited data base of other investigating agencies.
13. Counsel on behalf of the petitioner has agreed to test the competence of the petitioner's data base in comparing the chance fingerprints given in electronic form with the data base of the petitioner.
14. In view of the statement of the learned Advocate General and counsel on behalf of CBI that the CBI and other investigating agency that their limited data base can scan and match the chance fingerprints with the fingerprints in their data base, a report in that behalf about the capability of the data base

software of the petitioner would be required. The petitioner has no objection for obtaining a report in that behalf.

15. The learned Advocate General states that Director General of Central Forensic and Scientific Laboratory(CFSL), CGO Complex, Lodhi Road, New Delhi can appoint an expert to ascertain from the petitioner's data base also in New Delhi whether the data base of the petitioner has the technological capability for matching the chance fingerprints electronically obtained with its data base.
16. The petitioner also offers to give names of the experts known to the petitioner to give such a report.
17. Report from the expert appointed by Director General of CFSL as also the report from any expert deemed fit by the petitioner may be filed before this Court.
18. Both the experts shall file their report within two weeks from today. The legal aspect of the right to information and right of privacy shall be considered by the Court subject to ultimate decision of the Supreme Court in the above petition and other petitions pending before it.
19. Stand over 18.3.2014.

F. M. REIS, J.

SMT. R. S. DALVI, J.

**ANNEXURE-P/8**

Affidavit from Reetika Khera (Assistant Professor, Economics, Indian Institute of Technology)

I, Reetika Khera, aged about 40 years, residing at L7 Green Park Main, New Delhi, do hereby solemnly affirm and state as follows:-

1. I am a citizen of India and I am conversant with issues of public interest raised in Writ Petition(C ) No. 829 of 2013. I say that I am competent to swear this affidavit.
2. I teach economics at the Indian Institute of Technology, Delhi. My area of specialization is development economics with a special focus on social security. Much of my research has been on the Government of India's Mahatma Gandhi National Rural Employment Guarantee Act 2005 (NREGA) and the food schemes included in the National Food Security Act 2013. Most of my research is based on doing substantial field based research in rural India. Annexed hereto is my CV.
3. I am filing this limited affidavit only to record certain important facts in relation to the UID Project.
4. I say that the Government of Delhi made it compulsory to give my UID of my registration receipt for the National Population Register (NPR) for availing services of the Revenue Department. I say that (a) as I had urgent time-bound pending work in Mehrauli, and (b) as I had my PAN card number, passport and other valid forms of government Id, and (c ) because I had no need for an aadhaar number; and (d) I did not wish to get an Aadhaar number, since enrolling in

NPR is compulsory as per the Citizenship Rules, I decided to enrol with the NPR on or about 2 January, 2013. At the NPR office, I requested that I not be asked for my finger prints and Iris scan, but gave permission for my photograph to be taken. But I was told that I had no option but to give all three biometrics-finger prints, iris scan and photograph. I say that I was issued an Aadhaar number approximately two months later even though I did not wish to get it, but had no enrol in NPR (which uses the UIDAI software) in order to proceed with our work with the Revenue department of the Government of Delhi.

5. I began taking an interest in the UID programme when the Government of India claimed that integrating Aadhaar with NREGA and the PDS will enable better implementation of these programmes. Upon reading their documents on these issues, I realized that their claims were overstated and in this regard I have written two articles "Not all that Unique" (Hindustan Times) and another academic article in the Economic and Political weekly (both are annexed).
6. I (along with other volunteers) have been monitoring various aspects of the UID in different parts of the country. I say that it necessary to bring on record critical facts in relation to the manner in which the UID Projects is being implemented.
7. In the East Godvari pilot – one of the most popular pilots of integrating UID with the PDS-I, various implementation issues



have been noticed. These include serious defects as herein below:

8. Before a person authenticates his/her fingerprint in e-POS (electronic –Point of Sale) machine, he/she has no option but to provide consent to his/her biometrics being used for authentication purposes, for drawing rations. This message appears on the screen of the e-POS in English in a Telugu speaking state. It is unlikely that many ration card holders understand what they are consenting to.
9. UID numbers in the system do not match the UID number given on the card sent to an individual. There are instance of mismatch of fingerprints, connectivity issues etc.
10. At an enrolment camp that I visited in Ratu in 2010, I noticed that on the enrolment form, the consent box was being checked without asking or explaining to people what it meant. There were other glitches too – e.g., year and date of birth was being arrived at by guessing. This has implications for those schemes where age is an eligibility parameter (e.g scholarships and pensions). In other pilots such as the one in Ratu (Ranchi district, Jharkhand) where it was attempted to integrate UID with NREGA, payments through this new process are irregular. (Article published in The Hindu with Bharat Bhatti and Jean Dreze is annexed).
11. I say that the instances described above are recorded by photographs and videos and if permitted by this Hon'ble Court, the same can be brought on record.

12. In such circumstances, it is extremely necessary that I be permitted to opt out of the Aadhaar enrolment number allotted to me. I say that all information collected from me ought to be destroyed. I say that it imperative that an 'opt out' option be made available to all citizens who have enrolled for the Aadhaar number.

sd/  
Deponent

VERIFICATION:

Verified at New Delhi on this the 26<sup>th</sup> day of October, 2013 that the contents of paragraph 1 to 12 of my above affidavit in reply are true and correct to my knowledge, that no part thereof is false and nothing material has been concealed there from.

113

Annexure-P/g

RFQ No. 0010/2011

RFQ for Engaging MSP for Biometric Enrolment  
for the Creation of NPR for Usual Residents of  
Urban Area in 7 states and 1 UT in India

Ref. No.: NIELIT/CH/NPR-206/2011/

Cost of RFQ: Rs. 25000/-  
(Rupees Twenty Five Thousand Only)

NATIONAL INSTITUTE OF ELECTRONICS AND INFORMATION  
TECHNOLOGY (NIELIT)  
(FORMERLY DOEACC SOCIETY)  
AN AUTONOMOUS SCIENTIFIC SOCIETY  
OF  
DEPARTMENT OF INFORMATION TECHNOLOGY,  
MINISTRY OF COMMUNICATIONS & INFORMATION TECHNOLOGY,  
GOVERNMENT OF INDIA  
6 CGO Complex, Electronics Niketan, New Delhi-110003

REQUEST FOR QUOTATION (RFQ) FOR  
ENGAGING MANAGED BIOMETRIC ENROLLMENT SERVICES  
FOR  
THE CREATION OF NATIONAL POPULATION REGISTER  
(NPR) FOR USUAL RESIDENTS IN URBAN AREAS OF 7  
STATES AND 1 UT in INDIA

Date of Issue	Issued To (Name & Address)	Payment Details			Signature of Issuing person
		DD No. and Date	Name of the Bank and Branch	Amount	

RFQ No. 0010/2011

RFQ for Engaging MSP for Biometric Enrolment  
for the Creation of NPR for Usual Residents of  
Urban Area in 7 states and 1 UT in India

## Table of Contents

Section Contents

Page No.

1 Invitation to bid ..... 4

1.1. RFQ to Pre-Qualified Bidders	<u>NIL</u>	4
1.2. Important Information	<u>NIL</u>	6
1.3. General Eligibility Criteria		8
1.4. Mandatory List of Documents to be submitted		9
1.5. Definitions and Acronyms		11
2. INTRODUCTION		14
2.1. Background - Indian Census and National Population Register (NPR)		14
2.2. Role of Department of Information Technology (DIT) in NPR		16
2.3. Role of National Institute of Electronics and Information Technology (NIELIT)		16
3. SCOPE OF SERVICES		17
4. SCHEME FOR WORK ALLOCATION		21
5. PAYMENT TERMS		23
6. PERFORMANCE MANAGEMENT		25
6.1. Service Level Agreement (SLA)		25
6.2. Debarment		26
6.3. Work Re-Allocation		26
7. BID OPENING AND EVALUATION		27
7.1. Evaluation Committee(s)		27
7.2. Bid Opening and Evaluation		27
7.3. Signing of Contract		27
8. Instruction to Bidders		28
8.1. Submission of Bid		28
8.2. Validity of Bid submitted		30
8.3. Clarifications on Bid submitted		30
8.4. Amendments of RFQ Document		30
8.5. Disqualification		30

8.6. Performance Bank Guarantee .....	31
8.7. Period of Contract .....	31
8.8. Confidentiality .....	31
8.9. Disclaimer .....	31
8.10. Corrupt or Fraudulent Practices .....	31
8.11. Limits on Promotion/Publicity/Advertisement .....	32
ANNEXURE	
1.....	33
Format of Letter of Intent to submit bid in response to RFQ Invitation .....	33
ANNEXURE	
2.....	35
Format of Financial Bid .....	35
ANNEXURE	
3.....	36
Format of Performance Bank Guarantee (PBG).....	36
ANNEXURE	
4.....	39
Conditions of Managed Biometric Enrolment Services Contract ...	39
ANNEXURE	
5.....	46
Composition of Zones .....	46
ANNEXURE	
6.....	50
Estimated Urban Population of Zones .....	50
ANNEXURE	
7.....	51

Zone Wise EMD Amount ..... 51

#### ANNEXURE

8..... 52

Tentative Detailed Scope & Plan for Biometric Enrollment Services ..... 52

#### ANNEXURE

9..... 58

Format for Project Implementation Plan ..... 58

RFQ No. 0010/2011

RFQ for Engaging MSP for Biometric Enrolment  
for the Creation of NPR for Usual Residents of  
Urban Area in 7 states and 1 UT in India

1 INVITATION TO BID This "invitation to bid" is for providing managed biometric enrolment services for the creation of national population register (NPR) for usual residents of urban areas of 7 States and 1 UT (9 ZONES AS LISTED AT ANNEXURE 5).

The organizations (single agencies/consortiums) which have already been empanelled by Unique Identification Authority of India (UIDAI) as "enrolling agencies" for undertaking demographic and biometric data collection for enrolment of residents are eligible to bid. The list of such agencies is available at <http://uidai.gov.in>.

1.1. RFQ to Pre-Qualified Bidders

Date: DD-MM-YYYY To,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. National Institute of Electronics and Information Technology (NIELIT) (formerly DOEACC Society) (hereinafter called "the

Purchaser") invites Financial Bids from pre-qualified bidders for "Providing Managed Biometric Enrolment Services for the Creation of National Population Register (NPR) for Usual Residents in Urban Areas in India" in 7 States and 1 Union Territory (9 Zones as listed at Annexure 5) . The detailed scope of work for this assignment is provided in Section 3 – Scope of Services.

2. The selected bidder(s) will be called "Managed Service Provider (MSP)" for the purpose of this RFQ and for the whole duration of the contract thereof or till selected bidder is fully discharged from his obligations under this project, by purchaser, whichever is later.

3. All pre-qualified bidders are expected to submit only the "Financial Bid(s)" corresponding to the 9 zones as mentioned in this RFQ. Each Bidder must submit a single bid and provide quotes for individual Zones they are bidding for, in separate sealed envelopes, as per annexure 2, based on the eligibility criteria prescribed in this RFQ.

4. This "Invitation to Bid" is only for the organizations (single agencies/consortiums) which have already been empanelled by Unique Identification Authority of India (UIDAI) as "Enrolling Agencies" for undertaking demographic and biometric data collection for enrolment of residents. The list of such agencies is available at <http://uidai.gov.in>.

5. In addition to the terms and conditions herein all the provisions listed out in the Request for Empanelment (RFE) issued by the UIDAI and the Terms & Conditions of Empanelment shall be binding

upon the UIDAI empanelled "Enrolling Agencies" participating as bidders for this RFQ.

6. This RFQ document shall be issued only to the above-mentioned pre-qualified bidders and is non-transferable/assignable. The notice regarding issue of this RFQ will be sent by email to the authorized contact person of the pre-qualified bidders and will also be published on the website of the Purchaser (mit.gov.in, doeacc.edu.in, doeaccchd.edu.in). Notice regarding issue of this RFQ will also be published in two national newspapers and the Indian Trade Journal, Kolkata.

7. "If during the bid submission period, decision is taken to use the eprocurement solution, the same shall be informed/intimated through corrigendum and the bidders shall have to comply with the same".

8. Any subsequent corrigenda/clarifications related to this RFQ will be published on the website of the Purchaser at mit.gov.in, doeacc.edu.in, doeaccchd.edu.in. All such subsequent corrigenda/clarifications shall be binding on the bidders.

9. Pre-qualified bidders are advised to study this RFQ document carefully before submitting their financial bids in response to the bid Invitation. Submission of a financial bid in response to this invitation shall be deemed to have been done after careful study and examination of this document with full understanding of its terms, conditions and implications.

10. Pre-qualified bidders will need to submit their Financial Bid(s) – in a bigger sealed envelope containing separate sealed envelopes of



financial quote for each individual zone, at the address mentioned under Section 1.2. Important Information. The formats for Submission of Bids have been given in the relevant sections in this document and shall be followed by the pre-qualified bidder.

11. The Purchaser is not bound to accept any bids, and at its sole discretion, reserves the right to annul the selection process at any time prior to the award of contract without assigning any reasons to the bidders whatsoever and without thereby incurring any liability to the bidders. 12. RFQ Document Fees: The pre qualified bidders shall pay Rs 25,000/- (Rupees Twenty Five Thousands only) in the form of a Demand Draft issued by a nationalized/scheduled commercial bank, drawn in favour of "The Director, National Institute of Electronics and Information Technology, Chandigarh Centre" payable at Chandigarh. This fee is non-refundable and shall be submitted along with the response to this RFQ to the Purchaser. The payment of Rs 25,000/- shall be the condition precedent for submitting the bids.

13. Earnest Money Deposit (EMD) (i) All bids submitted in response to this RFQ document shall be accompanied by Earnest Money Deposit (EMD). Please refer Annexure 7 for zone wise EMD amounts in the form of Demand Draft issued by nationalized/scheduled commercial bank drawn in favour of "The Director, National Institute of Electronics and Information Technology, Chandigarh Centre" payable at Chandigarh. Bidders bidding for multiple zones need to submit a single EMD for the total cumulative amount.

(ii) Forfeiture of Earnest Money Deposit (EMD) The EMD submitted along with the bid shall be forfeited under the following conditions:

- a. If the bid is withdrawn during the validity period or any extension agreed to by the Bidder thereof.
- b. If the bid is varied or modified in a manner not acceptable to the Purchaser after opening of Bid during the validity period or any extended period.
- c. If the Bidder tries to influence the evaluation process.
- d. If the Bidder does not accept the correction of errors in his bid.
- e. If the Bidder is successful and fails to sign the Contract within the time stipulated by the Purchaser.
- f. If the Bidder refuses to take up the job in the assigned zone within the time stipulated by the purchaser.
- g. If the Bidder, having been notified of his selection, fails or refuses to submit the required Performance Bank Guarantee within the time stipulated by the Purchaser.

(iii) Refund of EMD

The EMD will be refunded as follows:

- a. In the case of unsuccessful bidders, the EMD will be returned to them without any interest accrued thereon at the earliest after the award of the contract to the successful bidder.

- b. In the case of selected bidder(s), the EMD shall be refunded on receipt of the Performance Bank Guarantee.

### 1.2. Important Information

S. NO.	Information	Details
1.	Name of the purchaser	National Institute of Electronics and Information Technology
2.	Date of Issue of RFQ Document	03.01.2012
3.	Last date for Submission of Queries	09.01.2012
4.	Response to Queries and Pre Bid Conference	3.00 PM on 11.01.2012 at Scope Complex, 7 Lodhi Road, New Delhi
5.	Last date and time for Bid submission	25.01.2012 by 5:00 PM
6.	Date and Time for opening of Bids	2:30 PM on 27.01.2012
7.	Contact Person for queries	The Project Co-ordinator, National Institute of Electronics and Information Technology(NIELIT), Chandigarh Centre SCO 114-116, Sector 17B, Chandigarh – 160017 Tel: 0172-2702262/2702265/2703285 Email: dir_chd@doeacc.edu.in
8.	Addressee and Address at which bids in response to RFQ Invitation are to be submitted	The Director, National Institute of Electronics and Information Technology(NIELIT), Chandigarh Centre, Branch Office New Delhi, 2nd Floor, Parsavnath Metro Mall, Inderlok Metro Station, Delhi - 110052

### 1.3. General Eligibility Criteria

- 1.3.1. Only those organizations/consortia will be eligible to bid for this RFQ which have already been empanelled by the Unique Identification Authority of India (UIDAI) as "Enrolling Agencies" for undertaking demographic and biometric data

collection for enrolment of usual residents of India. The list of such agencies is available at <http://uidai.gov.in>

1.3.2. The pre-qualified agencies, which are empanelled with UIDAI (as mentioned under Para 1.3.1), will be eligible to bid for only those zones in this RFQ which are in the States/UT in respect of which they have been empanelled by UIDAI for undertaking demographic and biometric data collection for enrolment of residents.

1.3.3. Consortium: Those Consortia which are empanelled by UIDAI.

1.3.4. In case of a Consortium (as mentioned under Para 1.3.3), only a pre qualified single agency (as mentioned under Para 1.3.1) must act as the Lead Bidder and shall be solely responsible to the Purchaser for executing the activities enlisted in this RFQ and the contractual obligations, if selected for carrying out these activities. The Lead Bidder shall submit the Financial Bid on behalf of the Consortium.

1.3.5. Agencies bidding as part of a consortium (as mentioned under Para 1.3.1 and Para 1.3.3) cannot bid in individual capacity.

1.3.6. The Bidder i.e legally registered / established and operative (single agency/all consortium members) should have been in existence i.e. legally registered /established and operative for a period of at least 3 years as of 31-March-2011.

1.3.7. The Bidder (single agency/all consortium members) must be incorporated or registered in India under the Indian Companies Act, 1956 (including Section – 25 of the Act) OR the Partnership Act, 1932 OR Societies Registration Act 1860

OR the Indian Trusts Act 1882/its equivalent in the respective states OR Proprietorship entities having a PAN of the Income-tax department, Govt of India.

1.3.8. The Bidder in case of Private/PSU/Govt. Company/Commercial Organization/Autonomous Body (single agency/Lead Bidder in case of a consortium) should have a Net Worth of at least Rs 50 lakhs as of 31March-2011 as evidenced by the audited accounts of the organization.

1.3.9. The Bidder in case of NGOs/Not-for-Profit organization (single agency/Lead Bidder in case of a consortium) should have had an average annual turnover/grants-in-aid of at least Rs 50 lakhs in each of the last three financial years as evidenced by the audited accounts. In addition, those NGOs/Not-for-Profit organizations that are receiving grants/aid from foreign sources must hold a valid registration with the Ministry of Home Affairs, Government of India. The NGO/ Not-for-Profit organization must be a non-political and nondenominational organization with no affiliation to any political party or religion.

1.3.10. In case of a Consortium, the Net Worth (in case of Private/PSU/Govt. Company/Commercial Organization/Autonomous Body) of the Average Annual Turnover/Grant-in-aid (in case of NGOs/Not-for-Profit organization) of only the Lead Bidder will be considered for the purposes of evaluating the financial capability and allocating zones to the Bidder.

1.3.11. The Bidder (single agency/all consortium members) should not have been blacklisted by the Central, any State/UT Government, or any central or state Government agency as on the date of issue of this RFQ or during the subsequent bid processing and evaluation.

1.3.12. Only those Bidders who meet the eligibility criteria specified above will be eligible to respond to this RFQ. The Bidder's bid shall contain the relevant information and supporting documents (as specified in Section 1.4 below against each criteria) to substantiate the eligibility of the Bidder vis-à-vis the pre-qualification criteria.

#### 1.4. Mandatory List of Documents to be submitted

1.4.1. Certified true copies of certificate of Incorporation from the Registrar of Companies (RoC) or Certified copy of Certificate of Registration/Evidence of legal status of Bidder (Single Agency/all Consortium members).

1.4.2. True copy of Letter of Association in case of Consortium and certified true copy of the Consortium agreement between the Lead Bidder and the other members of the consortium, describing the respective roles and responsibilities of all the members in meeting the overall scope and requirements of this RFQ/project.

1.4.3. Audited and Certified financial statements for the financial years 2008-09, 2009-10 and 2010-11 (please include the sections on Profit & Loss (P&L)/Income and Expenditure, Turnover, and Assets and Liabilities) should be provided by all

types of Bidders. In addition, an Auditor's certificate specifying the Net Worth and Turnover/Grants-in-aid of the Organization as of 31-March-2011 should be provided by all types of Bidders.

1.4.4. True copy of valid registration certificate from the Ministry of Home Affairs, Government of India for those NGOs/Not-for-Profit organizations that are receiving grants/aid from foreign sources.

1.4.5. Declaration in form of affidavit by the President/CEO/CMD of the organization clearly stating that the organization has not been blacklisted by Central/State/UT Government or any Government agency and has not been charged/ prosecuted by court of law for any fraudulent activity.

1.4.6. Proof for Organization's PAN Income Tax and VAT/Service Tax number.

1.4.7. Profile of the Organization giving relevant details of nature of work, experience, infrastructure, resources, turnover, profit & loss etc.

1.4.8. Letter of Empanelment issued by UIDAI clearly stating that the organization (single agency/consortium as mentioned under Para 1.3.1 or the Lead Bidder in case of Consortium as mentioned under Para 1.3.3) is empanelled with UIDAI as an "Enrolling Agency" and indicating the technical and financial tier of the organization as assessed by UIDAI.; also indicating the States and UT for which the organization has been empanelled by UIDAI.

1.4.9. A Project Implementation Plan as per the format provided at Annexure 9 detailing how the bidder plans to implement the project in the zones that it is bidding.

#### 1.5. Definitions and Acronyms

1. Accounting Year – shall mean the financial year commencing from 1st April of any calendar year and ending on 31st March of the next calendar year. In case of a global company, the commencement date and ending date should be read as 1st January and 31st December respectively of the calendar year.
2. BG – Bank Guarantee.
3. Bid – Bid means the entire set of documents including the financial bid or proposal that have been submitted by the bidders in response to this RFQ. A "Proposal" is referred to as "Bid" in this RFQ and shall have the same meaning for the purposes of this RFQ unless otherwise specified.
4. Bidder – Shall mean either a single company or a consortium of not more than three (3) companies participating in this bidding process. The bidder should mandatorily have relevant and demonstrable experience in Biometric Enrollment projects. Bidder shall be pre-qualified bidder means enrolled as an enrolling agency with UIDAI as mentioned in 1.3 above.
5. Biometric Data – refers to the facial image, Iris Scan of both eyes and 10 fingerprints collected by the Enrolment Agency from the enrollees based on the standards prescribed by the UIDAI.



6. Consortium – The consortium empanelled with UIDAI as an Enrolling Agency.
7. CPSU – Consortium of Public Sector Undertakings.
8. De-duplication – the process of using the Demographic and Biometric data collected from an enrollee to check against data so as to avoid duplicate enrolments.
9. Demographic Data – refers to the personal information collected or verified by the Census Enumerators based on the data fields prescribed by the Registrar General of India (RGI) for the NPR Schedules and by following the process laid down for the purpose.
10. DIT – Department of Information Technology, Ministry of Communications & Information Technology; Government of India.
11. EMD – Earnest Money Deposit.
12. Enroller: Certified and trained person employed by the MSP and engaged in the biometric enrolment of resident.
13. Enrolling Agency/ Enrolling Agencies – The Agency/Agencies empanelled by UIDAI for undertaking demographic and biometric data collection for and recording in prescribed manner thereof for enrolment of residents.
14. Enrolment – refers to the exercise of collection and recording in prescribed manner thereof of demographic as well as biometric data of the usual residents of India.
15. GOI – Government of India.

16. ICR- Intelligent Character Recognition Software and ICR Software shall mean Intelligent Character Recognition Software.
17. Lead Bidder – shall mean the member of consortium which shall act as the sole interface with the Purchaser on behalf of the consortium, contractually and for other interactions, and who shall be responsible for successful execution of the project including support and maintenance activities if any for / after the entire agreement period and in accordance with any surviving provisions thereof. The lead bidder should have relevant and demonstrable experience in Biometric Enrollment projects.
18. LoI – Letter of Intent.
19. LRUR- Local Register of Usual Residents
20. MIS – Management Information System. An online MIS tool shall be developed and provided by The Purchaser or any other agency on its behalf for supervision and monitoring of the entire process of demographic data digitization, Biometric Enrollment & LRUR Printing by the MSPs.
21. MSP – Managed Service Provider. This will be the selected bidder which will provide Biometric Enrollment Services for capturing of biometric data of usual residents.
22. Net Worth –Net Worth shall mean (Subscribed and Paid-up Equity + Reserves) less (Revaluation reserves + miscellaneous expenditure not written off + accrued liabilities).
23. NeGP – National e-Governance Plan

24. NGO – Non Government Organization registered with Ministry of Home Affairs, Government of India.
25. NIELIT – National Institute of Electronics and Information Technology (formerly DOEACC Society), is an Autonomous Scientific Society under DIT, Ministry of Communications & Information Technology, Government of India, involved in large scale data processing, training (corporate, government & individual), consultancy, product development, entrepreneurship development & HRD in Information, Electronics & Communication Technologies. It has a network of centres in India.
26. NPR – National Population Register.
27. Operator – Certified and trained person employed by the MSP and engaged in the digitization of demographic data.
28. Operational Partner – Member of Consortium having proven experience in Project Operations / Training / Logistics / supply chain management.
29. ORG&CCI – Office of the Registrar General and Census Commissioner, India.
30. PBG – Performance Bank Guarantee.
31. Period of Contract – 2 years from the date of award of contract with the selected bidder(s), which may be extended by the Purchaser depending upon the nature of work.
32. PoA – Power of Attorney.

33. Pre-qualified Bidders – All Bidders which have been selected by UIDAI as “Enrolling Agencies” for undertaking demographic and biometric data collection for enrolment of residents.
34. Proposal: Proposal means the entire set of documents including the financial proposal that have been submitted by the bidders in response to this RFQ. A “Proposal” is referred to “Bid” in this RFQ and shall have the same meaning for the purposes of this RFQ unless otherwise specified.
35. Purchaser - “Purchaser” means the entity with which the selected Bidder signs the Contract for the Services. In this RFQ and for the purposes of this project, the ‘Purchaser’ means the ‘NIELIT’(formerly ‘DOEACC Society’).
36. Record - refers to the personal information collected or verified for each person by the Census Enumerators based on the data fields prescribed by the Registrar General of India (RGI) for the NPR Schedules and by following the process laid down for the purpose.
37. Resident – Usual resident of India.
38. RFQ – Request for Quotation. 39. RGI – Registrar General of India 40. SLA – Service Level Agreement.
41. UID – Unique Identification; 42. UIDAI – Unique Identification Authority of India. 43. UT – Union Territory.

## 2. INTRODUCTION ]

### 2.1. Background - Indian Census and National Population Register (NPR)

The Government of India has initiated the creation of Digitized National Population Register (NPR) by collecting specific information of all usual residents in the country during the House listing and Housing Census phase of Census 2011 during April 2010 to September 2010. The NPR is a comprehensive identity database to be maintained by the Registrar General and Census Commissioner of India, Ministry of Home Affairs, Government of India (RGI). The objective of creation of the NPR is to help in better utilization and implementation of the benefits and services under the government schemes, improve planning, improve security and prevent identity fraud.

PROCESS OF CREATION OF NPR In the NPR process, following details are being gathered by designated enumerators by visiting each and every household:

- i. Name of the person in full and residential Status
- ii. Name of the person as should appear in National Population Register
- iii. Relationship to Head
- iv. Sex
- v. Date of Birth
- vi. Marital Status
- vii. Educational Qualification
- viii. Occupation/Activity
- ix. Name(s) of father, mother and spouse in full
- x. Place of Birth

- xi. Nationality as declared
- xii. Present address of usual residence
- xiii. Duration of stay at present address
- xiv. Permanent residential address

A specimen scanned copy of the NPR schedule is available for download from Census of India website at:

<http://www.censusindia.gov.in/2011-Schedule/Index.html>

The data thus collected will then be digitized in the local language of the State as well as in English. This digitization involves the scanning of the forms (NPR Schedules) and validating the data using an Intelligent Character Recognition Software (ICR). For this purpose, RGI has established a number of scanning centres across the country. The data thus stored in the form of scanned images will then be manually digitized.

Once this demographic database has been created, then the biometrics enrolment (capture of 1 Photograph, 10 Finger Prints and Iris scan of both eyes) will be carried out for all persons aged 5 years and above by arranging enrolment camps in every village and at the ward level in every town. The collected data will be printed in the form of LRUR (Local Register of Usual Residents) and displayed at prominent places within the village and ward for the public to see and raise objections and complaints. Objections will be sought and registered at this stage. Each of these objections will then be enquired into by the local Revenue Department Officer/ Census Department Officer/ Municipal Commissioner and a proper disposal given in writing. Once this process is over, the lists will be placed in

the Gram Sabha in villages and the Ward Committee in towns. Claims and Objections will be received at this stage also and dealt with in the same manner described above. The Gram Sabha/Ward Committee has to give its clearance or objection within a fixed period of time after which it will be deemed that the lists have been cleared.

The information thus authenticated will then be sent to the UIDAI for deduplication and issue of Unique Identification (UID) Numbers. The cleaned database along with the UID Number will then be sent back to the Office of the Registrar General and Census Commissioner, India (ORG&CCI) and would form the National Population Register. The diagram below shows the entire process of NPR in a nutshell.

**METHODOLOGY FOR NPR CREATION** The RGI, MHA has entrusted the work of demographic data digitization and bio-metric collection in respect of 17 states and 2 UTs to the Department of Information Technology. The Department of IT is spearheading the digitization process and envisages the participation of its societies – NIELIT(formerly DOEACC Society) , STPI and C-DAC in this project. NIELIT (formerly DOEACC Society) has been made Nodal Agency by DIT for implementation of the project. It is estimated that the project will digitize the data of about 62.5 crore population of India and biometric capture of about 56.2 crore people. Biometric includes photograph, all ten finger prints and Iris capture for the population above 5 years age. The digitization of NPR will be done in 6 months. The Biometric capture will be done in 1 year.

## 2.2. Role of Department of Information Technology (DIT) in NPR

The Office of the Registrar General and Census Commissioner, India (ORG&CCI) has assigned Department of Information Technology (DIT) the responsibility of demographic data digitization and biometric data collection in 17 States and 2 Union Territories of India. .

DIT will undertake the following activities on behalf of the ORG&CCI to enable creation of the National Population Register and facilitate the issuance of UID number to the residents within the states assigned to DIT:

- Digitization: The ORG&CCI will be responsible for scanning and Intelligent Character Recognition (ICR) of schedules collected from the field. Once ICR has been performed, the scanned images will be handed over to DIT to complete manual data entry in two languages, i.e. English Language and Local Language of the State.
- Biometric Enrolment: Upon completion of manual data entry, DIT will capture biometric data of all residents aged 5 years and above.
- Data Consolidation and Delivery: DIT shall consolidate the captured data, including demographic and biometric data, and deliver the same to ORG&CCI for further de-duplication and assignment of UID number by the UIDAI. DIT recognizes that this assignment calls for organizations which have demonstrable experience in demographic data digitization and enrolment and also requires significant financial commitments



from them in order to successfully execute it within the stipulated time schedule.

- 2.3. Role of National Institute of Electronics and Information Technology(NIELIT) NIELIT (formerly DOEACC Society), an autonomous Scientific Society of the Department of Information Technology, Ministry of Communications and Information Technology, Government of India has presence at 23 locations throughout the country having its Headquarter at New Delhi. The Society has immense capabilities for execution of e-Governance Projects.

For the purpose of ensuring complete coverage of the 17 States and 1 UT, DIT plans to divide the work of demographic data digitization and biometric data collection into urban and rural areas. DIT intends to leverage the network of NIELIT(formerly DOEACC Society) which has been designated as nodal agency for implementation of NPR Project. The overall responsibility for completing the work of Demographic Data Digitization & Biometric Enrolment of the assigned States/UT in the urban and rural areas has been delegated to NIELIT(formerly DOEACC Society) by DIT.

### 3. SCOPE OF SERVICES

The MSP(s) shall provide end-to-end Managed Biometric Enrollment Services to the Purchaser for the purpose of capturing Biometric Data (Face Photograph, Iris of both the eyes and Ten Fingers of both hands) for the usual Residents of India in 7 states and 1 UT (9 zones as listed at Annexure

5). There are 9 urban zones in 7 states and 1 UT (9 zones as listed at Annexure 5) where NPR activities have to be carried out by NIELIT.

The population coverage for this work is approximately 2.75 crore (estimation based on 2001 census data Annexure-5.) usual residents of the urban population (9 zones as listed at Annexure 5) in the following 7 states and 1 Union Territory of India.

List of States:

List of Union Territory:

- |                      |                  |                         |
|----------------------|------------------|-------------------------|
| 1. Arunachal Pradesh | 5. Mizoram       | 1. Dadra & Nagar Haveli |
| 2. Assam             | 6. Sikkim        |                         |
| 3. Madhya Pradesh    | 7. Uttar Pradesh |                         |
| 4. Meghalaya         |                  |                         |

- The Biometric Enrollment needs to be performed for 100% urban resident population(9 zones as listed at Annexure 5) having age above 5 years of these 7 States and 1 UT .

- In order to achieve above mentioned objectives, above stated 7 states and 1 UT have been classified into 9 zones.

The composition of the 9 zones is provided at Annexure-5 and their estimated population is provided at Annexure-6.

- The Purchaser may select one or more successful bidders (single bidders or consortiums) to execute the project. The Work Allocation Scheme is explained in detail in Section 4 – Scheme for Work Allocation. The Evaluation Procedure is explained in detail in Section 7 – Proposal Opening and Evaluation.

- The selected MSP(s) shall commence work within 30 days of award of contract. The work of data entry should be completed within 12 months starting from the 31st day after the award of contract. The overall duration of project will be of 2 years.
- The responsibilities of the MSP(selected bidder(s)) will include the following:
  - i. Based on the volume of work, allocated as per the bidding process, the MSP have to procure/hire biometric devices as per UIDAI norms/specifications. The set of devices for Biometric Enrollment include atleast: — Laptop — Digital Camera — Finger print scanner — Iris Scanner — Printer — One additional screen facing the enrollee — Other Requirements (if any) as per UIDAI
  - ii. Based on the volume of work, to set up camps in wards with necessary infrastructure at various locations as and when desired by the Purchaser in coordination with Local District Authorities.
  - iii. The capturing of biometric data as per UIDAI norms is the prime responsibility of the Bidder.
  - iv. There must be camp supervisor to ensure smooth functioning of camps.
  - v. Selected MSP(s) to receive digitized data of NPR schedules from the State coordinator of Purchaser and perform the Biometric Enrollment as per instruction of the Purchaser.

- vi. Selected MSP(s) to obtain the Biometric Enrollment software from The Purchaser and ensure installation of the software at all biometric capturing camps.
- vii. Ownership of the biometric Software shall vest exclusively with the RGI. MSP shall use such biometric capturing Software only for the purpose of biometric capture which is assigned by the Purchaser. MSP shall be responsible and liable for legal actions and damages if it does any act (e.g. copying, duplicating software etc.) or omission other than enrollment assignment.
- viii. Ensure Biometric Enrollment using the software received from The Purchaser and perform its installation.
- ix. To capture KYR+ files in addition to Biometric Capture, as suggested by RGI, will be captured through KYR+ software.
- x. Update/Edit/Modify the digitized demographic data (if required).
- xi. Printing of Acknowledgement Slip for each biometric capture/enrolment.
- xii. Selected MSP(s) shall arrange at least two rounds of Biometric Camps in a locality and should also provide enrolment services for specified period at Tehsil/Charge office/Ward/Village office. New persons should be enrolled in paper NPR schedule during the Biometric Camp. These should be verified by local authorities and

their data would be entered by the selected MSP. The biometrics of these residents would be captured in next round of the camps.

- xiii. The Purchaser will provide the required training at locations to be specified by them free of cost to five (5) Master Trainers from each MSP selected after the bidding process. However, a fixed charge of Rs. 500 per person shall be recovered by the Purchaser from the selected agencies for providing training material etc.
- xiv. On satisfactory conclusion of training, a certificate of participation shall be provided by the Purchaser to each successful participant. However, the Master Trainer must get certified by a UIDAI certifying agency. xv. These Master Trainers of MSP are expected to, in turn, train their operators supervisors, assistants etc involved in the process of enrollment.
- xv. Training of own personnel on the biometric capturing software as well as on the overall process and procedures with the help of training material provided by the Purchaser.
- xvi. MSPs should engage enrollers only after they have been trained and certified for enrollment.
- xvii. Ensure Biometric Enrollment through UIDAI Certified manpower. xix. Ensure the Biometric Enrollment as per guidelines provided by UIDAI/RGI. xx. Proper checking and verification of Captured Biometric data.

- xviii. Ensure regular backup of captured data over an external media as prescribed in the project implementation plan.
- xix. Provide data into an external media in the form prescribed by the Purchaser.
- xx. Printing of 4 Copies of LRUR. Each LRUR page will have seven records.
- xxi. Provide necessary assistance to data digitizing agency in correction of LRUR.
- xxii. Submit the complete and corrected data to the Purchaser as per the timelines prescribed by the Purchaser.
- xxiii. Ensure Interim storage management of complete data and ensure secure transfer of data from the camp to Purchaser's designated locations of data collection.
- xxiv. Ensure interim storage management and complete security of data captured:
- xxv. Ensure MIS reporting of the complete work on a daily basis through the MIS tool provided by the Purchase
- xxvi. Report in the prescribed formats, the progress of the biometric capturing work and other activities related to the project in writing to the Purchaser on a weekly basis.
- xxvii. Ensure complete security of the data provided and captured at all the stages and at times before, during and after entire operation.

- xxviii. Prevent any unauthorized access to the data provided and the biometric captured at all stages at all the times before, during and after the entire operation.
- xxix. Ensure that software and data captured /contained are at all times kept secured and free from viruses/ unauthorized access/ copying /editing/ transmitting/ storing / carrying etc.
- xxx. Bidders acknowledge and accept that they shall not be entitled to any extra compensation /remuneration/ reimbursement / fees/ payments other than quoted rate, on account of (or for overcoming) difficulties / problems. It shall be the sole responsibility of bidder to complete the entire entrusted work with quality and in time.

In order for the MSP(s) to effectively execute the above mentioned services, the Purchaser with help of RGI will provide all assistance and support in terms of identification and availability of Government Agencies required for these services, e.g. Local governing bodies at each level - Central/State/District/Tehsil/Ward/Village, Physical security wherever necessary using State Police/Paramilitary forces etc. The tentative detailed methodology for Biometric Enrollment is attached as Annexure 8.

#### 4. SCHEME FOR WORK ALLOCATION

The Purchaser also recognizes that managed service provisioning requires significant financial commitments over an extended period of time and this would require a matching

revenue assurance from the parties willing to make such commitments.

All pre-qualified bidders shall submit their Financial Bids [Price per biometric enrolment per person] for each zone separately they are bidding for and provide individual financial bid in separate sealed envelopes. All pre-qualified bidders will be classified into four tiers of financial capability as follows:

Commercial Organizations (Single Bidder/Lead Bidder in case of a Consortium)		NGOs/Not-for-profit Organizations (Single Bidder/Lead Bidder in case of a Consortium)	
Net Worth (as on 31st March 2011)	Tier	Annual Turnover/Grants-in-aid (as on 31st March 2011)	Tier
Rs 50 Lakhs to Rs 2 Crores	NW1	Rs 50 Lakhs to Rs 2 Crores	NW1
Rs 2 Crores to Rs 5 Crores	NW2	Rs 2 Crores to Rs 5 Crores	NW2
Rs 5 Crores to Rs 20 Crores	NW3	Rs 5 Crores to Rs 20 Crores	NW3
More than Rs 20 Crores	NW4	More than Rs 20 Crores	NW4

In case of those bidders which are empanelled with UIDAI as Enrolling Agencies, the financial capability assessed by UIDAI (F1, F2, F3 and F4) will be used such that F1 will be considered equivalent to NW1, F2 will be considered equivalent to NW2, F3 will be considered equivalent to NW3 and F4 will be considered equivalent to NW4.

The bidders will be eligible to bid for one or more zones and can also be allocated work for one or more zones depending upon the criteria of maximum bid capacity (number of biometric enrolments)



and maximum work capacity (number of biometric enrolments) as mentioned below:

Tier	Maximum Bid Capacity (Lakh)	Maximum Work Capacity (Lakh)
NW1	75	15
NW2	175	35
NW3	625	125
NW4	2500	500

The Maximum Bid Capacity is defined as the maximum number of biometric records (one record per person) that a bidder is eligible to bid for. Maximum Work Capacity is defined as the maximum number of biometric records (one record per person) that can be allocated to a bidder for biometric enrolment work including the number of biometric enrolments already allocated against RFQ no. 0005/2011 dated 15-092011. The Maximum Bid Capacity and Maximum Work Capacity may spread over one or more zones depending upon the resident urban population of various zones.

While bidding, each bidder must ensure that they bid for only those zones where total urban population is less than their maximum work capacity and the cumulative urban population of all zones that the bidder is bidding for does not exceed the maximum bid capacity of that bidder. In case a bidder is found to be bidding for zones whose cumulative urban population is higher than the bidder’s bid capacity, then the entire bid of that bidder (including all quotes provided for various zones) will be rejected.

For all zones, only those bids that fulfill all the terms and conditions as mentioned in this RFQ will be taken up for further consideration. For each zone, the lowest price quoted (the price per person for

biometric enrolment) shall be termed as L1 and the rest of the quotes shall be ranked, in ascending order of prices quoted, as L2, L3, L4 and so on.

The financial bids for all zones will be opened simultaneously. However, the sequencing of zones for the purpose of allocation of work will be done as per the following criteria:

- i) For each zone, a frequency score will be arrived at based on the number of bidders for that zone and the number of zones that each of those bidders has bid for. For example, if there are three bidders for a zone and each bidder has bid for 5, 2 and 7 zones respectively then the frequency score for that zone will be  $5+2+7 = 14$ .
- ii) All zones will then be ranked from the lowest frequency score to the highest and the allocation of zones will start from the zone with the lowest frequency score. In case, two or more zones happen to have the same frequency score, then the zone with the lower population will be allocated first.

The work will then be allocated to the L1 bidder of that zone. However, if there are multiple L1 bidders, the work will be divided in equal proportions amongst all L1 bidders.

Once a bidder reaches its maximum work capacity, then the bidder will not be considered eligible for the subsequent zones. In such a scenario, where such bidders happen to be holding the lowest bid (L1) for any of the remaining zones, then the next eligible bidder (holding L2, L3 or higher bid) will be offered to match the L1 price in order to win that zone. In

case the first eligible bidder fails to match the L1 price then the bidder with the next higher bid will be offered to match the L1 bid. In case all eligible bidders of a particular zone fail to match the L1 price, then the actual bidder holding the L1 bid will have to accept the work for that zone irrespective of the L1 bidder's maximum work capacity as described under Section 4.

In all the above cases, the decision of the Purchaser regarding allocation of work for biometric enrolment in a zone to the successful bidder(s) will be final & binding on all the bidders and no further discussion will be held with the bidders on this matter under any circumstances.

5. PAYMENT TERMS

- 60% of the total payments due to MSP per zone (based on the number of biometric enrolments done in the allocated zone) will be made upon completion of biometric enrolment work, and acceptance of biometric enrolment work , as reported and verified by the purchaser or any other agency nominated by the Purchaser on its behalf.
- The schedule for the initial 60% payments due to the MSP per zone is as follows:

S.No	Biometric Enrolments per zone (% age of the total volume of data as per SLA 6.1)	Number of Days	Payment (%age of total payments to be made)
1	25%	1 to 90	15%
2	25% (Cumulative 50%)	91 to 180 15%	15%
3	25%(Cumulative 75%)	181 to 270 15%	15%

	Biometric data	Norms	enrollment
4.	Trained and Certified Staff	100% trained and certified enrollers as per the specifications of UIDAI/RGI	100% of the cost ordered per Biometric Enrollment for 60 records, for each instance of records captured by untrained and uncertified staff.
5.	Quality of LRUR Printing	100% accurate readable printing of LRUR as per specifications provided by NIELIT/RGI.	5% of the cost ordered per biometric enrollment.
6.	Safe and secure custody of data	100% encrypted data with physical security to ensure zero unauthorized access	100% of the cost ordered per biometric enrollment multiplied by the total number of enrollment found in . unencrypted manner or without physical security
7.	Data transfer from the biometric camp to the Purchaser	Zero delay in transferring captured data to the Purchaser/any other designated agency from the target date	Rs. 1000/- per day of delay in transferring data to the Purchaser/any other designated agency
8.	Assistance in the LRUR corrections	Zero delay in providing support from the target date	Rs. 1000/- per day of delay in assistance to data digitization. MSP/any other designated agency

6.2. Debarment If at any point of time, it is found that the selected bidder(s) is not enrolling biometric as per specifications given

by the Purchaser, then the particular bidders(s) will be debarred from carrying out any further enrolment work with and other activities with immediate effect. In such cases, the Purchaser reserves the right to terminate the contract with the concerned Bidder(s) and impose penalties and take further action as deemed fit as per rules.

6.3. Work Re-Allocation During the course of project execution, if a selected bidder consistently fails to meet the performance expectations of the purchaser, as determined by the Purchaser. The Purchaser reserves the right to terminate contract with the concerned bidder(s), impose penalties and take further step as deemed fit as per rules set by the purchaser from time to time. The remaining work of such bidder will be got done by the Purchaser at risk and cost of the bidder. The outgoing bidder shall be liable to pay for reallocated work to new bidder at the rates finalized by purchaser. The bidder(s) agree and acknowledge that such rates may be higher than the rates quoted by L1. The Purchaser shall be entitled to recover/adjust/deduct such amounts payable (to new bidder) from outgoing bidder under this or any other transactions/order/contract etc. Nothing herein shall be construed as precluding the Purchaser from invoking the provisions of clause 13 [k] of Annexure 4 to this RFQ.

## 7. BID OPENING AND EVALUATION

### 7.1. Evaluation Committee(s)

The Evaluation Committee(s) constituted by the Purchaser shall evaluate the financial Bids as per standard procedures.

The Evaluation Committee (s) shall at its own discretion have the authority to disqualify any or all bid(s) that it finds to be inappropriate without giving any reason/justification to the bidder.

The decision of the Evaluation Committee(s) on any of the above matters will be final and binding on all the bidders and no further discussion/interface will be held with the bidders whose bids are disqualified/ rejected.

7.2. Bid Opening and Evaluation The financial evaluation of the bids will be taken in to account on the basis of the information supplied by the bidders in their financial bid (as per format in Annexure 2, Format of Financial Bid) as well as all other relevant documents submitted by the bidder.

The Evaluation Committee(s) shall evaluate all documents (Certificate of Incorporation from Registrar of Companies, Letter of Association in case of Consortium, Auditor Certified financial statements, Proof for Organization PAN, VAT/ Service Tax number etc.) submitted by the bidder and may disqualify any bidder whose documents are not found to be in order.

Post this evaluation, the bids of all 9 zones will be opened up simultaneously. Based on the price quoted by a bidder against each of the zones (that the bidder is eligible to bid for), the work will be allocated as per the work allocation mechanism defined under Section 4 of this RFQ. All bids shall be subject

to arithmetical checking and corrections, if any, which will be carried out by the Purchaser. Ranking of bids as L1, L2 ... will be decided thereafter.

7.3. Signing of Contract The selected bidder(s) shall be required to enter into a contract with the Purchaser, within fifteen (15) days of the award of the contract or within such extended period, as may be specified by the Purchaser.

This contract shall be on the basis of this document and such other terms and conditions as may be determined by the Purchaser, to be necessary for the due performance of the work, as envisaged herein and in accordance with the Bid and the acceptance thereof.

## 8. Instruction to Bidders

### 8.1. Submission of Bid

1. The Bid Document (referred to as "the Bid" in this RFQ) consists of following documents:

1.	Letter of Intent (LoI) to submit bid in response to RFQ Invitation	As per Annexure 1, Format of Letter of Intent to submit bid in response to RFQ Invitation
2.	RFQ Document Fee Demand Draft	Section 1.1, point 11
3.	Earnest Money Deposit (EMD)	Section 1.1, point 12
4.	Financial Bid(s)	As per Annexure 2 Format of Financial Bid
5.	Power of Attorney for Authorized Signatory	Bidder/Lead Bidder of Consortium to provide as per Legal format for PoA
6.	This RFQ document	
7.	Annexures to this document	
8.	Any other corrigendum that the Purchaser might release on a later date	
9.	A Plan of Implementation for this project in the zone(s) that the bidder is bidding for	As per Annexure 8, Format of Plan of Implementation

Each page of the Bid document must be numbered, signed and stamped by the authorized signatory of the bidder, who has the Power of Attorney (PoA) to commit the responding firm to contractual obligations.

In case of a discrepancy between the items on the above checklist and the actual documents/material submitted, the Purchaser reserves the right to declare the bid invalid and disqualify the bidder.

Also, in case the documents/material submitted are not as per the formats specified in this RFQ document, the Purchaser reserves the right to declare the bid invalid and disqualify the bidder.

Bid may be rejected at any stage of the evaluation, if it is found that the bidder has provided misleading information or has been black listed by a central or state government or agency thereof or has indulged in any malpractice/ unethical practice and has not honored contractual obligation elsewhere.

2. The bids submitted in response to this RFQ, and all associated correspondence shall be written in English. Any interlineations, erasures or over writings shall be valid only if they are countered signed by the authorized person signing the bid.
3. The currency(ies) of the Bid offer and the payments shall be in Indian Rupees (INR).



4. Bids received by facsimile shall be treated as defective, invalid and rejected. Only detailed complete bids received prior to the closing time and date for receipt of bids shall be treated as valid.
5. One hard copy of the financial bid for every zone bidder is bidding for, separately in a sealed envelope super scribed with – 'Financial bid for [zone code and zone name]' prepared in accordance with the procedures enumerated in this RFQ document.
6. The sealed envelopes containing bids for each zone should then be put in one bigger sealed envelope and submitted to the Purchaser not later than the date and time laid down, at the address given in the Section 1.2. The envelope should be super scribed with – "FINANCIAL BID(S) - RFQ FOR PROVIDING MANAGED BIOMETRIC ENROLMENT SERVICES FOR THE CREATION OF NATIONAL POPULATION REGISTER (NPR) FOR USUAL RESIDENTS OF URBAN AREAS IN INDIA" and "<name & code> of zones" for which bidder is bidding for.
7. All other eligibility documents mentioned at section 1.4 along with other necessary and supportive document & EMD should be placed in a separate sealed envelope super scribed with – "Eligibility documents - RFQ FOR PROVIDING MANAGED BIOMETRIC ENROLMENT SERVICES FOR THE CREATION OF NATIONAL POPULATION REGISTER (NPR) FOR USUAL

RESIDENTS OF URBAN AREAS IN INDIA" and "<name & code> of zones" for which bidder is bidding for.

8. The sealed envelope containing the FINANCIAL BID & Eligibility documents should be placed in a larger single envelope, properly sealed, and super scribed with "RFQ FOR PROVIDING MANAGED BIOMETRIC ENROLMENT SERVICES FOR THE CREATION OF NATIONAL POPULATION REGISTER (NPR) FOR USUAL RESIDENTS OF URBAN AREAS IN INDIA – DO NOT OPEN BEFORE 2:30 PM ON 27-Jan-2012" and "<name & code> of Zones" for which bidder is bidding for..

All envelopes should be addressed to the Addressee specified at Section 1.2 and bear the name and address of the Bidder/Lead Bidder of the consortium submitting the bid. CD media that contains the softcopy of the bid must be duly signed using a "Permanent Pen/Marker" and should bear the name of the Bidder/Lead Bidder of the consortium, submitting the Bid.

9. The Bids submitted should be concise and contain only relevant information as required under this RFQ document.
10. The bidders submitting their bids would be responsible for all of its expenses, costs and risks incurred towards preparation and submission of their bids, attending any pre-bid meetings and visiting the sites or any other location in connection therewith etc. the Purchaser shall, in no case, be responsible or liable for any such costs whatsoever, regardless of the outcome of the process.

11. Project Implementation Plan to be submitted as per the format provided at Annexure 9 detailing how the bidder plans to implement the project in the zones that it is bidding for.
- 8.2. Validity of Bid submitted The bids submitted by the firms/agencies shall remain valid for a period of 90 days after the closing date (deadline) for submission of bids prescribed in this document. A bid valid for shorter period may be rejected as non-responsive. The Purchaser may solicit the bidders' consent to an extension of RFQ validity (but without the modification in their Bid).
- 8.3. Clarifications on Bid submitted During evaluation, the Purchaser may, at its discretion, ask the respondents for clarifications on their bids. The Bidders are required to respond within the time frame prescribed by the Purchaser.
- 8.4. Amendments of RFQ Document At any time prior to the deadline for submission of the Bid, the Purchaser may for any reason, amend the RFQ document by issuing suitable Corrigendum. Any corrigendum issued in this regard will be communicated through email/written letter to the pre-qualified bidders, as well as be published on the website of the Purchaser, and such amendments shall be binding on bidders.
- 8.5. Disqualification The Purchaser may at its sole discretion and at any time during the evaluation of bid, disqualify any bidder, if the bidder:
  - a. submits the bid after the response deadline;

- b. makes misleading or false representations in the forms, statements and attachments submitted in proof of the eligibility requirements;
  - c. exhibits a record of poor performance such as abandoning works, not properly completing the contractual obligations, inordinately delaying completion or financial failures, etc. in any project in the preceding three years;
  - d. submits a bid that is not accompanied by required documentation or is non-responsive to the terms and condition and stipulated herein.
  - e. fails to provide clarifications related thereto within given time frame, when sought;
  - f. submits more than one bid;
  - g. has been declared ineligible by the Government of India/State/UT Government for corrupt and fraudulent practices.
  - h. In case the bidder exceeds the maximum bid capacity.
- 8.6. Performance Bank Guarantee Within 7 days of the selected bidder(s) being intimated about their selection, they shall submit an unconditional, unequivocal and irrevocable Performance Bank Guarantee (PBG) of 10 % (Ten Percent) of the contract value, from any Nationalized Bank and valid for the entire period of the contract plus an additional 12 months beyond the contract period and any applicable extension periods as may be required by the Purchaser. The format for

PBG is provided in Annexure 3, Format of Performance Bank Guarantee (PBG).

- 8.7. **Period of Contract** The contract would be for an initial period of Two (2) years, which may be extended at purchaser's discretion depending upon the nature of work.
- 8.8. **Confidentiality** Information relating to the examination, clarification, comparison and evaluation of the bids submitted shall not be disclosed to any of the responding firms or their representatives or to any other persons not officially concerned with such process until the selection process is over. The undue use by any responding firm of confidential information related to the process may result in rejection of its bid.
- 8.9. **Disclaimer** Bids received late will not be considered and will be returned unopened to the respondents. The Purchaser reserves the right to a) Reject any / all bids without assigning any reasons thereof, b) Relax or waive any of the conditions stipulated in this RFQ document as deemed necessary in the best interest of the objective of the scheme/project without assigning any reasons thereof, and c) Include any other item in the scope of work at any time after consultation in the pre-bid meeting or otherwise.
- 8.10. **Corrupt or Fraudulent Practices** In the event of the bidder engaging in any corrupt or fraudulent practices during the bidding process, the Purchaser reserves the right to reject such bids at its sole discretion.

For the purpose of this clause: "Corrupt Practice" means the offering, giving, receiving or soliciting of anything of value to influence the action of an official of the Purchaser or DIT in the selection process. It also includes bringing undue influence through any quarter or interfering directly or indirectly in the selection process to affect its outcome.

"Fraudulent Practice" means a misrepresentation of facts in order to influence the evaluation and selection process to the detriment of the Purchaser.

- 8.11. Limits on Promotion/Publicity/Advertisement The selected bidders shall not perform any kind of promotion, publicity or advertising etc. at the Purchaser or DIT and their field offices through any kinds of hoardings, banners or the like without the express prior written consent of the Purchaser.

#### ANNEXURE 1

Format of Letter of Intent to submit bid in response to RFQ Invitation

(To be submitted on the Letterhead of the responding firm)

{Place}

{Date}

To

The Director,  
National Institute of Electronics and Information Technology  
(NIELIT),  
Chandigarh Centre,  
SCO 114-116, Sector 17B, Chandigarh – 160 017

Ref: RFQ No. 0010/2011 dated 03/01/2012

Subject: Submission of bid in response to the RFQ for  
Providing Managed Biometric Enrolment Services for the

Creation of National Population Register (NPR) for Usual Residents of Urban Areas in India.

Dear Sir,

1. Having examined the RFQ document, we, the undersigned, herewith submit our bid in response to your RFQ No. 0010/2011 dated 03/01/2012 for Providing Managed Biometric Enrolment Services for the Creation of National Population Register (NPR) for Usual Residents of Urban Areas in India, in full conformity with the said RFQ document.
2. We have read and understood the provisions of the RFQ document and confirm that these are acceptable to us. We conform that only the terms and conditions in the RFQ shall apply; we further declare that additional conditions, variations, deviations, if any, found in our bid shall be without any effect whatsoever.
3. We hereby declare that we satisfy all the eligibility criteria as specified in this RFQ and agree to abide by all the terms and conditions specified therein.
4. We agree to abide by this bid, consisting of this letter, the detailed response to the RFQ and all attachments, and validity of the bid shall be for a period of 90 days from the closing date fixed for submission of bids as stipulated in the RFQ document.
5. The Earnest Money Deposit (EMD) of Rs xxx Lakh submitted by us may be forfeited and en-cashed under any of the

circumstances as specified in Para 12(ii) under sub-section 1.1 of Section 1 of this RFQ.

6. We hereby declare that we are not involved in any litigation that may have an impact of affecting or compromising the delivery of services as required under this assignment and we are not under a declaration of ineligibility for corrupt or fraudulent practices.
7. We confirm that we have not been blacklisted by any department/society/body/organization of central/state government.
8. We hereby declare that all the information and statements made in this bid are true and accept that any misrepresentation /wrong information contained in it or /suppression of material or relevant facts/figures may lead to our disqualification.
9. We understand that you are not bound to shortlist / accept any bid you receive.

Our correspondence details with regards to this bid are:

S.NO	Information	Details
1.	Name of responding firm:	
2.	Address of responding firm:	
3.	Name, Designation and Address of the contact person to whom all references shall be made regarding this RFQ:	
4.	Telephone no. of contact person:	
5.	Mobile no. of contact person:	
6.	Fax no. of contact person:	
7.	E-mail address of contact person:	
8.	Website URL of the responding firm	



We hereby declare that our bid submitted in response to this RFQ is made in good faith and the information contained is true and correct to the best of our knowledge and belief.

Sincerely,

Date:

[FIRM'S NAME]

Place:

Signature

Name

Title

Seal of the Firm

## ANNEXURE 2

### Format of Financial Bid

(To be submitted on the Letterhead of the responding firm SEPARATELY FOR EACH INDIVIDUAL ZONE i.e. separate envelope of financial bid for each zone, bidder is bidding for) [Location, Date]

To

The Director,  
National Institute of Electronics and Information Technology  
(NIELIT),  
Chandigarh Centre,  
SCO 114-116, Sector 17B, Chandigarh – 160 017

Ref: RFQ No. 0010/2011 dated 03/01/2012

Subject: Submission of bid in response to the RFQ for "Providing Managed Biometric Enrolment Services for the Creation of National Population Register (NPR) for Usual Residents of Urban Areas in India".

Dear Sirs,

We, the undersigned, offer to provide the Managed Biometric Enrolment Services for creation of National Population Register (NPR) for usual Residents of Urban areas in India in accordance with

your Request for Quotation dated [Insert Date]. The cost per person for Biometric Enrolment and LRUR Printing is as follows:

Zone Code (As per Annexure 6)	Cost per biometric enrolment including LRUR Printing (in Rs.)	Total Cost (in Rs.)
[insert Code]	[Quote amount in words and figure]	[Quote total amount by multiplying the cost per person and the total urban population of the zone]

The above mentioned cost per person for Biometric Enrolment is inclusive of all Government taxes/duties/levies/cess etc. We remain,

Yours sincerely,

Authorized Signature [In full and initials] : \_\_\_\_\_ Name and Title of Signatory: \_\_\_\_\_ Address of Firm :

\_\_\_\_\_  
Seal of the Firm

### ANNEXURE 3

Format of Performance Bank Guarantee (PBG)

BANK GUARANTEE NO.

DATE

PERIOD OF BANK GUARANTEE:- VALID UPTO (36 months from the date of Selection)

AMOUNT OF GUARANTEE: Rs. -----

To

The Director,  
National Institute of Electronics and Information Technology  
(NIELIT),  
Chandigarh Centre,  
SCO 114-116, Sector 17B, Chandigarh – 160 017

THIS DEED OF GUARANTEE EXECUTED ON THIS \_\_\_\_ Day  
of \_\_\_\_\_ 2012 by {Name of the Bank issuing guarantee} a  
Nationalized bank , constituted under the Banking Companies  
(Acquisition and Transfer of Undertakings) Act 1970, having its Head

office at (H.O. Address) and one of the Branch offices at (Branch address) hereinafter referred to as the 'Guarantor Bank' (which expression unless it be repugnant to the context or meaning thereof shall include its successors and assigns.) in favour of The Director, National Institute of Electronics and Information Technology, Chandigarh Centre, S.C.O. 114-116, Sector 17-B, Chandigarh (hereinafter referred to as "Purchaser" which expression shall unless it be repugnant to the context or meaning thereof shall include its successors and assigns).

Whereas Selection Notification No. ----- dated ----- (Hereinafter called the "Selection Notification") for selecting M/s. ---- for Providing Managed Biometric Enrolment Services for the Creation of National Population Register (NPR) for Usual Residents of Urban Areas in <Name & code of the Zone> zone of <Name of the state/UT> in India issued by the Purchaser on M/s. -- -----, (Hereinafter referred to as 'the Managed Service Provider ') stands accepted by the Managed Service Provider.

And whereas to ensure due performance of the obligations of the Managed Service Provider to the satisfaction of the Purchaser towards Providing Managed Biometric Enrolment Services for the Creation of National Population Register (NPR) for Usual Residents of Urban Areas in <Name & code of the Zone> zone of <Name of the state/UT> in India the said performance and in terms thereof by the Managed Service Provider as aforesaid, the Guarantor Bank at the request of the Managed Service Provider has agreed to give guarantee as hereinafter provided.

NOW THIS GUARANTEE WITNESSETH AS FOLLOWS:

In consideration of the Purchaser, having engaged the Managed Service Provider for a period of two years for Providing Managed Biometric Enrolment Services for the Creation of National Population Register (NPR) for Usual Residents of Urban Areas in <Name & code of the Zone> zone of <Name of the state/UT> in India, (Name of the Guarantor Bank) do hereby undertake as under:

a) To indemnify and keep indemnified the Purchaser to the extent of the sum of Rs. ----- -- /- (Rs. ----- only) for the losses and damages that may be caused to or suffered by the Purchaser in the event of non-performance or part/under performance of whatever nature on the part of the Managed Service Provider in discharging their obligations under the said contract against the above selection notification order and further undertake to pay immediately on demand to the Purchaser the amount claimed under this guarantee not exceeding Rs. ----- /- (Rs. ----- -----only) without demur and without the Purchaser needing to prove or to assign reasons for the demand so made for the sum specified therein and mere written claim or demand of the Purchaser shall be conclusive and binding on the guarantor Bank as to the amount specified under these presents.

b) The guarantee herein contained shall remain in full force and effect during the period that would be taken for the performance of the obligations under the contract against the Selection Notification and that it shall continue to be enforceable till all the dues of the Purchaser under or by virtue of the said contract against the

Selection Notification have been fully paid and its claims satisfied or discharged or till \_\_\_\_\_ Office/Department/ Ministry of \_\_\_\_\_ certifies that the terms and conditions of the said contract against the Selection Notification have been fully and properly carried out by the Managed Service Provider and accordingly discharges this guarantee. Unless a demand or claim under this guarantee is made on us in writing on or before the \_\_\_\_\_ we shall be discharged from all liability under this guarantee thereafter.

c) This guarantee shall not in any way be affected by the change in the constitution of the Managed Service Provider or of guarantor bank nor shall be affected by the change in the constitution, amalgamation, absorption or reconstruction of the Purchaser or otherwise but shall ensure for and be available to and enforceable by the absorbing amalgamated or reconstructed Company of the Purchaser.

d) We, \_\_\_\_\_  
(indicate the name of bank) further agree with the Purchaser that the Purchaser shall have the fullest liberty without our consent and without affecting in any manner our obligations hereunder to vary any of the terms and conditions of the said contract against the Selection Notification or to extend time of performance by the Managed Service Provider from time to time or to postpone for any time or from time to time any of the powers exercisable by the Purchaser against the Managed Service Provider and to forbear or enforce any of the terms and conditions relating to the said contract

against the Selection Notification and we shall not be relieved from our liability by reason of any such variation, or extension being granted to the Managed Service Provider or for any forbearance, act or omission on the part of the Purchaser or any indulgence by the Purchaser to the Managed Service Provider or by any such matter or thing whatsoever which under the law relating to sureties would, but for this provision, have effect of so relieving us.

e) We, \_\_\_\_\_ (indicate the name of bank) undertake not to revoke this guarantee during its currency except with the previous consent of the Purchaser in writing.

f) Notwithstanding anything contained above

The liability of the guarantor Bank under this deed of guarantee is restricted to Rs. ----- /- (Rs. ----- only). This guarantee shall remain in full force till (mention date) and the guarantor Bank is liable to pay the guaranteed amount or any part thereof under this Bank Guarantee only and only if the Purchaser serves upon the guarantor Bank a written claim or demand on or before (mention date) at (name of the guarantor Bank and branch). IN WITNESS WHEREOF the authorized signatories of the said (Guarantor Bank) have signed this deed for and on behalf of the guarantor on the date first hereinabove mentioned.

Place            For

Date            Authorized Signatories Seal

## ANNEXURE 4

## Conditions of Managed Biometric Enrolment Services Contract

The operating clauses would emerge from the technical and financial processes finalized with the MANAGED SERVICE PROVIDER (MSP) selected for the project. In addition, the Managed Biometric Enrolment Services contract will inter-alia includes the following terms:

## 1. Definitions

In the Contract, the following terms shall be interpreted as indicated: "DIT" means the Department of Information Technology, Government of India, or any other authorized representative of the DIT.

"National Institute of Electronics and Information Technology (NIELIT)" (formerly DOEACC Society) (hereinafter called "the Purchaser") means, An autonomous Scientific Society of Department of Information technology, Ministry of Communication & Information Technology, Govt. of India.

The "Work Order" means the selection notification issued to the MSP by the Purchaser pursuant to the selection of the MSP for provision of Managed Biometric Enrolment Services for the Creation of National Population Register (NPR) for Usual Urban Residents of India.

The "Contract" means the Managed Biometric Enrolment Services agreement entered into between the Purchaser and the selected bidder (hereinafter called the MSP) as recorded in the Contract Form signed by the Purchaser and the MSP, including all attachments and

annexure thereto and all documents incorporated by reference therein.

## 2. Deliverables

The final list of Deliverables would be finalized during contract negotiation with the selected MANAGED SERVICE PROVIDER (MSP).

## 3. Time Schedule

The Contract shall be valid initially for a time period of Two (2) Years from the date of award of contract and may be extended depending upon the nature of work.

## 4. Payment Terms and Schedule

The payment terms are explained in Section 5 - Payment Terms. A pre-receipted bill in triplicate (for the audit and independent monitoring) shall be submitted as per the schedule mentioned in the RFQ.

Note – All the payments will be made within 30 days of acceptance of deliverables for the corresponding period to the extent possible and subject to the verification done by the Purchaser on the actual work completed during the invoice period.

## 5. Commercial Terms

The Purchaser will release the payment within 30 days of submission of invoice, to the extent possible, subject to invoice and all supporting documents being in order and verification done by the Purchaser or any agency nominated by it on its behalf on the actual work completed during the invoice period.



#### 6. Disclaimer

The selected MSP is not authorized to provide UID Number, Citizenship or any residency benefits to the enrollees. The selected bidder shall be only responsible for biometric enrolments and submitting it to the Purchaser, the Purchase in turn will submit this data to ORG&CCI.

#### 7. Liabilities

(a) The MSP shall indemnify the Purchaser against all third party claims arising out of a court order or arbitration award for infringement of any of the intellectual property rights ( e.g. patent, trademark/copy right /breach of confidentiality etc.) arising from the use of the supplied services or any part thereof or arising out of or incidental to the contract/work order placed on MSP or for breach of security in relation to the data entrusted to or used by or provided by the MSP or for breach of clause 10 below.

(b) Either party will accept liability without limit (1) for death or personal injury caused to the other party by its negligence or the negligence of its employees acting in the course of their employment; (2) any other liability which by law either party cannot exclude. This does not in any way confer greater rights than what either party would otherwise have at law.

(c) The Work Order does not contemplate any consequential, indirect, lost profit, claim for tort or similar damages of any form to be paid by the MSP to the Purchaser or any other organizations.

(d) Except for the indemnification provisions ;

Notwithstanding anything to the contrary contained in the Work Order, in no event will the MSP be liable to the Purchaser,

(a) for any amount in excess of 100% of the total professional fees payable for the respective Project. This limit of liability is not applicable to clause 'a' above. (e) No action regardless of form, arising out of this Contract, may be brought by either party more than one year after the cause of action has accrued.

8. Progress of the Project Progress of the project should be updated on a daily basis on the Management Information System (hereinafter called "the MIS") that will be made accessible to the MSP by the Purchaser. MSP shall be fully responsible for timely and accurate updation of MIS. Additionally, the progress of the project should be intimated in writing to the Purchaser on a weekly basis.

#### 9. Confidentiality

a) Neither party will disclose to any third party without the prior written consent of the other party any confidential information which is received from the other party for the purposes of providing or receiving Services which if disclosed in tangible form is market confidential or if disclosed otherwise is confirmed in writing as being confidential or if disclosed in tangible form or otherwise, is manifestly confidential. Each party will take measures to protect the confidential information of the other party that, in the aggregate are no less protective than those measures it uses to protect the confidentiality of its own comparable confidential information, and in any event, not less than a reasonable degree of

protection. Both parties agree that any confidential information received from the other party shall only be used for the purposes of providing or receiving Services under this Contract. These restrictions will not apply to any information which:

- I. Is or becomes generally available to the public other than as a result of a breach of an obligation under this Clause;  
or
  - II. is acquired from a third party which owes no obligation of confidential in respect of the information ; or
  - III. is or has been independently developed by the recipient or was known to it prior to receipt
- b) Notwithstanding Clause (a) mentioned above, either party will be entitled to disclose confidential information of the other (1) to its respective insurers or legal advisors, or (2) to a third party to the extent that this is required by any or where there is a legal right. Duty or requirement to disclose, provided that in the case of sub- Clause(ii) (and without branching any legal or regulatory requirement ) where reasonably practicable not less than 2 business days notice in writing is first given to the other party.
- c) Without prejudice to the foregoing provision of this Clause above, bidder may cite the performance of the services to clients and projective clients as an indication of its experience
- d) The MSP shall not, without prior written consent of the Purchaser, disclose the commercial terms of this work order

and contract to any person or organization other than a person employed by the MSP in the course of performance of the Contract. Further, the extent of such disclosure shall be only to that required for performance of the services under this contract.

- e) This clause on Confidentiality shall be valid for a further period of two years from the date of expiry or termination of the contract or completion of the project in the assigned zone, or until the UIDs are informed to respective persons/citizens by RGI/Census office, whichever is later

- 10. Confidentiality of Data The MSP and its Personnel shall maintain absolute confidentiality and security of data at all times before, during, and after the performance of its services. The MSP and its Personnel shall not make or maintain unauthorized copies, either electronic or physical or in any other form, of the data or confidential information received or acquired during the course of performance of its services. The MSP and its Personnel shall not disclose, except with the prior written consent of the Purchaser, any data or confidential information received or acquired during the course of performance of its services to any person or entity, nor shall the MSP and its Personnel make public the recommendations formulated in the course of, or as a result of, the performance of its services.

- 11. Other Terms & Conditions

- a) The end product of the work assignment carried out by the MSP, in any form, or/and/including any and all intellectual property created/developed by MSP or consortium members shall be the sole property of The Purchaser. The MSP or consortium member hereby undertakes to execute any document/ undertaking/ affidavit in favour of the purchaser to that effect
- b) The MSP shall not outsource the work to any other associate / franchisee / third party under any circumstances without the prior approval of the Purchaser.
- c) The MSP shall perform the services and carry out its obligations under the contract with due diligence and efficiency, in accordance with generally accepted techniques and practices used in the industry and with professional engineering and training / consulting standard recognized by national / international professional bodies and shall observe sound management practice. It shall employ appropriate advanced technology, and safe and effective methods. The MSP shall always act, in respect of any matter relating to this Contract, as faithful advisors to the Purchaser and shall at all times, support and safeguard legitimate interests of the Purchaser.
- d) The MSP automatically agrees with the Purchaser for honoring all aspects of fair trade practices in executing the work orders placed by the Purchaser.

- e) In the event the MSP or the concerned Division of the company is taken over / bought over by another company, all the obligations under the agreement with the Purchaser, should be passed on the compliance by the new company / new Division in the negotiation for their transfer.
- f) Statutory Employment Records, submitted by the MSP as an evidence of employment of its personnel engaged in providing the managed services under the Contract, may be subject to Third Party examination.
- g) Should any provision of this RFQ/contract be found to be inoperative, void or invalid by a court of competent jurisdiction, all other provisions of this RFQ shall remain in full force and effect for the duration of this RFQ, it being the intention of the parties that no portion of this RFQ or provision herein shall become inoperative or fail by reason of the invalidity of any other portion or provision.
- h) Award of contract to selected bidder shall not create any relationship between the Parties such as agency, partnership, employer-employee etc,
- i) E-mail correspondence should not be taken as substitute for any official signed hardcopy correspondence in all important matters such as responsibilities of parties, financial matters , termination, extension, modification etc

## 12. Force Majeure

a) Force majeure clause shall mean and be limited to the following in the execution of the contract placed by the Purchaser:

- War / hostilities
- Riot or Civil commotion
- Earth quake, flood, tempest, lightening or other natural physical disaster
- Restriction imposed by the Government or other statutory bodies, which is beyond the control of the MSP, which prevent or delay the execution of the order by the MSP.

b) Labour/manpower/financial/commercial/infrastructural/industrial/ power/ material/ equipment shortage/ problems/ shortages/ difficulties/ breakdowns /accidents etc. shall not be considered/treated as force majeure events. The MSP shall advise the Purchaser in writing, duly certified by the local Chamber of Commerce, the beginning and the end of the above causes of delay, within seven days of the occurrence and cessation of the force majeure conditions. In the event of a delay lasting for more than one month, if arising out of clauses of force majeure, the Purchaser reserves the right to cancel the contract without any obligation to compensate the MSP in any manner for what so ever reason, subject to the provision of clause mentioned.

### 13. Termination

The Purchaser may, without prejudice to any other remedy for breach of Contract, terminate this Contract in case of the occurrence of any of the events specified in paragraphs (a) to (i) of this Clause. In such an occurrence, the Purchaser shall give a not less than thirty (30) days' written notice of termination to the Supplier, and sixty (60) days' in the case of the event referred to in (e).

- a) If the MSP does not remedy a failure in the performance of their obligations under the Contract, within thirty (30) days after being notified or within any further period as the Purchaser may have subsequently approved in writing
- b) If the MSP becomes (or, if the MSP consists of more than one entity, if any of its Members becomes' and which has substantial bearing on providing Services under this contract) insolvent or go into liquidation or receivership whether compulsory or voluntary.
- c) If the MSP, in the judgment of the Purchaser has engaged in corrupt or fraudulent practices in competing for or in executing the Contract.
- d) If, as the result of Force Majeure, the MSP is unable to perform a material portion of the Services for a period of not less than sixty (60) days.
- e) If the Purchaser, in its sole discretion and for any reason whatsoever, decides to terminate this Contract.



- f) If the MSP submits to the Purchaser a false/misleading statement which has a material effect on the rights, obligations or interests of the Purchaser.
- g) If the MSP places itself in position of conflict of interest or fails to disclose promptly any conflict of interest to the Purchaser
- h) If the MSP fails to provide the quality services as envisaged under this Contract.
- i) If the MSP fails to comply with any final decision reached as a result of arbitration proceedings pursuant to Clause 14 hereof.
- j) In the event of any breach or failure on the part of the MSP to adhere to the Confidentiality norms as stipulated in the contract, penal provisions including both civil and criminal, as applicable under various laws and statutes of the land shall apply.
- k) In the event the Purchaser terminates the Contract in whole or in part, the Purchaser may procure, upon such terms and in such manner as it deems appropriate, services similar to those undelivered or not performed, or not corrected/cured/ repaired/rectified, and the MSP shall be liable to the Purchaser for any additional costs for such similar services. However, the MSP shall continue performance of the Contract to the extent not terminated.

#### 14. Arbitration

- a) In the event of any dispute or differences arising under these conditions or any special conditions of the contract in connection with this contract or in respect of any defined legal

relationship associated therewith or derived there from, the parties agree to submit that dispute to arbitration under the Arbitration and conciliation Act 1996. The language of the arbitration proceedings shall be English. The place of arbitration proceedings shall be New Delhi.

- b) Any other terms and conditions, mutually agreed prior to finalization of the order/agreement shall be binding on the MSP.
- c) The Purchaser and the bidder shall make every effort to resolve amicably by direct negotiation any disagreement or dispute arising between them under or in connection with the purchase/work order/contract/RFQ.
- d) In the case of dispute arising upon or in relation to or in connection with the Contract between the Purchaser and the MSP, which has not been settled amicably, any party can refer the dispute for Arbitration under (Indian) Arbitration and Conciliation Act, 1996. Such disputes shall be referred to the sole arbitrator nominated by DIT.
- e) Arbitration proceedings shall be held in New Delhi and the language of the arbitration proceedings and that of all documents and communications between the parties shall be English.
- f) The decision of the arbitrators shall be final and binding upon both parties. The expenses of the arbitrators as determined by the arbitrators shall be shared equally by the Purchaser and the MSP. However, the expenses incurred by each party

in connection with the preparation, presentation shall be borne by the party itself. All arbitration awards shall be in writing and shall state the reasons for the award. The courts in New Delhi only shall have exclusive jurisdiction to try and entertain any dispute arising there from.

15. **Applicable Law** The contract shall be governed by the laws and procedures established by Govt. of India, within the framework of applicable legislation and enactment made from time to time concerning such commercial dealings/processing.

#### ANNEXURE 5

##### Composition of Zones

State	Urban Zone Code	Districts
Arunachal Pradesh	1-Itanagar	Anjaw
		Changlang
		East Kameng
		East Siang
		Kurung Kumey
		Lohit
		(Lower) Dibang Valley
		Lower Subansiri
		Papumpare Distric
		Tawang
		Tirap
		Upper Dibang Valley
		Upper Siang
		Upper Subansiri
		West Kameng
		West Siang
		Nagaon
		Morigaon
		Kamrup (Metro + Rural)
		North Cachar
Assam	2-Guwahati	Cachar

		Karimganj
		Hailakandi
		Karbi Anglong
		Tinsukia
		Dibrugarh
		Sivasagar
		Jorhat
		Golaghat
		Golaghat
		Dhemaji
		(North)
		Lakhimpur
		Kokrajhar
		Bongaigoan
		Baska
		Dhuburi
		Goalpara
		Nalbari
		Barpeta
		Darrang
		Sontipur
		Chirang
		Udalguri
Madhya Pradesh	11- Bhopal	Shehore/Sheopur
		Morena
		Bhind
		Gwalior
		Shivpuri

		Guna
		Ashok Nagar
		Datia
		Dewas
		Ratlam
		Shajapur
		Mandsaur
		Neemuch
		Ujjain
		Indore
		Dhar
		Jhabua
		Khandwa (East nimar)
		Khargone(west Nimar)
		Badwani/Barwani
		Burhanpur
		Bhopal
		Shehore
		Raisen
		Rajgarh
		Vidisha
		Betul
		Harda
		Hoshangabad
Meghalaya	13-Shillong	East Khasi Hills
		West Khasi Hills
		Ri-Bhoi West Garo Hills
		South Garo Hills
		East Garo Hills
		Jaintia Hills
Mizoram	14-Aizwal	Lunglei
		Saiha
		Aizawl
		Champhai
		Mamit

		Kolasib
		Serchhip
		Lawngtlai
Sikkim	17-Gangtok	East District
		North District
		South District
		West District
Uttar Pradesh	21 - Allahabad	Allahabad
		Fatehpur
		Chandoli
		Jaunpur
		Gazipur
		Kaushambi
		Mirzapur
		Pratapgarh
		Sant Ravidas Nagar
		Sonbhadra
		Varanasi
	22-Kanpur	Auriya
		Banda
		Chitrakoot
		Etawah
		Farukhabad
		Hamirpur
		Jallou
		Jhansi
		Kannauj
		Kanpur Dehat
		Kanpur Nagar
		Lalitpur
		Mahoba
Dadra & Nagar Haveli	28-Dadra & NH	Dadra & Nagar Haveli
Totals	9	115

ANNEXURE 6

Estimated Urban Population of Zones

State	Urban Zone HQ	Zone Population (Urban)	Zonal Population(urban) aged at least 5 years (estimated @90% of Zonal
-------	---------------	-------------------------	--

			Population Urban )
Arunachal Pradesh	1-Itanagar	2,73,457	2,46,112
Assam	2-Guwahati	41,27,088	37,14,380
Madhya Pradesh	11- Bhopal	1,27,04,261	1,14,33,835
Meghalaya	13-Shillong	5,44,933	4,90,440
Mizoram	14-Aizawl	5,29,207	4,76,287
Sikkim	17-Gangtok	71,844	64,660
Uttar Pradesh	21-Allahabad	52,47,847	47,23,063
	22-Kanpur	69,59,225	62,63,303
Dadra & Nagar Haveli	28-Dadra & NH	60,556	54,501
Totals	9	3,05,18,418	2,74,66,581

- All population figures are based on Census 2001 data available with the Office of the Registrar General and Census Commissioner, India (ORGI&CCI). A correction factor of 1.2 is applied to approximate the population figures for the year 2010. -The population figures are estimated based on Census 2001 data. Actual population may differ from these figures.

#### ANNEXURE 7 Zone Wise EMD Amount

##### State Urban Zone EMD AMOUNT (in Rs.)

State	Urban Zone HQ	Zone Population (Urban)
Arunachal Pradesh	1-Itanagar	2,18,000
Assam	2-Guwahati	32,84,000
Madhya Pradesh	11- Bhopal	1,01,08,000
Meghalaya	13-Shillong	4,34,000
Mizoram	14-Aizawl	4,22,000

Sikkim	17-Gangtok	58,000
Uttar Pradesh	21-Allahabad	41,76,000 22-
	22-Kanpur	55,37,000
Dadra & Nagar Haveli	28-Dadra & NH	49,000
Totals	9	

## ANNEXURE 8

### Tentative Detailed Scope & Plan for Biometric Enrollment Services

The scope is to set up enrolment station/camps for enrolment of residents of India and providing requisite MIS reports to Registrar and UIDAI on enrolments completed on a daily basis till the whole enrolment operation for the targeted population is completed. The functional scope shall also include the collection of demographic details as per the KYR+ data requirements of RGI. The Enrolling Agency shall also be responsible for delivering additional services as required by NIELIT.

### PROCURE BIOMETRIC DEVICES AS PER UIDAI SPECIFICATIONS

The enrolling agency should procure digital camera and biometric devices (for fingerprint and iris capture), used for capture of biometric data at the enrolling station, which conform to UIDAI specifications and certified by UIDAI appointed agencies.

### SETTING UP OF ENROLMENT STATIONS AND ENROLMENT CAMPS

The number of enrolment stations/camps and the duration shall be decided by the NIELIT taking into account a number of factors like population density, geographical and topographical features,



accessibility etc. The minimum number of Enrolment Stations the Enrolment agency is expected to set up shall be based on

1. Population to be covered
2. Density of population and
3. Maximum distance between two camps

CONDUCT ENROLLMENT OPERATIONS AS PER STANDARD PROCESSES Prior to the commencement of the Enrollment operations, the Enrollment Agency shall work closely with the local governing bodies. During the enrolment operation also publicity and awareness shall be done in coordination with the local authorities to encourage enrolment.

#### PRIVACY & SECURITY

Enrolling agencies are responsible to make sure that the data is kept in a very secure and confidential manner and under no circumstances, shall they neither use the data themselves nor part with the data to any other agency other than NIELIT. Mechanisms to ensure the same have to be put in place by the Enrolling agency and shall be subject to audit by NIELIT/RGI/UIDAI representative from time to time. A stationary enrolment station in this context would mean an enrolment station that shall be available at a particular location and address for a period more than 10 days to complete enrolment of the population in the catchment area assigned. A mobile enrolment station in this context would mean an enrolment station housed in a mobile vehicle with facilities as defined in this section and shall move around in the catchment area (locality) assigned until the enrolment of the target population in the locality

is completed. An enrolment station including a mobile enrolment station shall be equipped with all the necessary machinery which include

S. No.	Enrolment Camp
1.	Backup power supply (generator) of 2 KVA capacity for every five enrolment stations kept in a camp
2.	Fuel to run the generators
3.	Printed enrolment forms for filling data available in sufficient numbers
4.	Adequate lighting, fans & power points for plugging various biometric devices available
5.	Local authorities informed of enrolment schedule
6.	Introducers informed of enrolment schedule
7.	Banner for the Enrolment Centre placed at entrance
8.	Posters depicting enrolment process in English & the local language present in visible places
9.	Grievance handling Helpline Number and other important numbers displayed prominently inside/outside the enrolment centre
10.	The User Manual of the software available for ready reference & operators aware of the same
11.	Sponge for wetting and hand-cleaning cloth available

An enrolment camp shall be manned by a supervisor and technical personnel in addition to the operators at the enrolling stations. A

ratio of 5:1 operators to supervisors as well as operators to technical staff subject to a minimum of one technical staff per one enrolment camp should be maintained by the Enrolment Agency. An area in the enrolment camp shall be clearly demarcated for enrollees waiting to be enrolled and facilities for seating should be provided. In case of mobile enrolment camps/stations, the decision on frequency/period of availability shall be decided by the NIELIT/RGI based on density of population, geographical terrain etc.

PROVIDE ELECTRONIC MIS REPORTS ON ENROLMENT STATUS DAILY:

Supervisor/ Operator shall update enrollment statistics on enrolment status to MIS of NIELIT on daily basis. The formats and contents of the MIS reports shall be decided by the NIELIT.

#### INTRODUCTION TO BIOMETRIC DEVICES

In NPR digitization, biometric will be captured for all those people having age greater than 5 years. The following details for each person will be captured using biometric devices:

- Photograph of all individuals
- Finger print of all ten fingers of individuals above 5 years of age
- IRIS of Individuals above 5 years of age.

#### Detailed Guidelines for Collecting Biometric Data

##### i. Fingerprint Capture

- a. Left Hand Fingerprints: The Enrollee should be requested to place all four fingers of the left hand to platen of the fingerprint scanner for the four-finger capture to ensure

good contact and maximize the area of the captured fingerprints.

b. If automatic capture does not happen, the operator should force the capture through option available in the enrolment software. The capture software will allow forced capture only after at least one attempted automatic capture for that Enrollee.

c. The operator should visually check the image for quality and for typical problems. In case there are problems go back to steps above to retry the capture.

d. If capture is still not possible, move on to the next step to capture the fingerprints of the right hand.

e. Right Hand Fingerprints: The Enrollee should be requested to place all four fingers of the Right Hand to platen of the fingerprint scanner for the four-finger capture to ensure good contact and maximize the area of the captured fingerprints.

f. If automatic capture does not happen, the operator should force the capture through option available in the enrolment software. The capture software will allow forced capture only after at least one attempted automatic capture for that Enrollee.

g. Visually check the image for quality and for typical problems. In case there are problems go back to steps above to retry the capture. h. If capture is still not possible, move

on to the next step to capture the fingerprints of the two thumbs.

i. Two Thumbs: The Enrollee should be requested to place Two Thumbs to platen of the fingerprint scanner for the capture to ensure good contact and maximize the area of the captured fingerprints.

j. If automatic capture does not happen, the operator should force the capture through option available in the enrolment software. The capture software will allow forced capture only after at least one attempted automatic capture for that Enrollee.

k. Visually check the image for quality and for typical problems. In case there are problems go back to steps above to retry the capture.

ii. Facial Image Capture

a. Enrollee Position: For capturing facial image, it is advisable for the operator to adjust the camera instead of the Enrollee to position herself/himself at the right distance or in the right posture.

b. Focus: The capture device should use auto focus and auto-capture functions. The output image should not suffer from motion blur, over or under exposure, unnatural colored lighting, and radial distortion. Interlaced video frames are not allowed.

c. Expression: Expression strongly affects the performance of automatic face recognition and also affects accurate visual

inspection by humans. It is strongly recommended that the face should be captured with neutral (nonsmiling) expression, teeth closed and both eyes open.

d. Illumination: Poor illumination has a high impact on the performance of face recognition. It is difficult for human operators to analyze and recognize face images with poor illumination. Proper and equally distributed lighting mechanism should be used such that there are no shadows over the face, no shadows in eye sockets, and no hot spots.

e. Eye Glasses: If the person normally wears glasses, it is recommended that the photograph be taken with glasses. However, the glasses should be clear and transparent so that pupils and iris are visible. If the glasses are with tint, then direct and background lighting sources should be tuned accordingly.

f. Accessories: Use of accessories that cover any region of the face is not permitted.

g. However, accessories like eye patches are allowed due to medical reasons.

h. Further, accessories like turban are also allowed as religious practices.

i. Operators need to be trained to obtain the best possible face images that satisfy requirements.

### iii. Iris Capture

a. Iris pattern of each eye is not correlated, and gives two independent biometric feature sets. It assures correct

assignment of left and right eyes and allows for more accurate estimation of roll angle.

b. In order to obtain good quality template, the iris image diameter should be a minimum of 170 native pixels.

c. In order to retain sufficient image surrounding the iris for the purpose of identifying the left or right eye as well as for a more accurate iris segmentation, the margins around the iris portion of the image need to be at least 50% of the iris diameter on the left and right sides of the image, and at least 25% of the iris diameter on the top and bottom of the image.

d. The capture device should be more than 300 mm away from the Enrollee to be considered non-intrusive.

e. The capture device should use auto focus and auto-capture functions.

f. In special circumstances where the Enrollee has to position herself or himself, the capture device should be more than 100mm away but the device should use a visor or other mechanical alignment aid to enable the Enrollee to position themselves.

g. In order to provide an acceptable level of usability and ease of alignment, the camera must allow for some variability in the position of the iris centre relative to the camera. This variability is defined by position tolerances in the horizontal, vertical, and axial dimensions that together define a volume (the "capture volume") within which the centre of the iris must be located in order to enable image capture.

- h. For two eye capture devices, the capture volume dimensions for devices without mechanical alignment aids are 19 mm wide, 14 mm high, and 20 mm deep, and for devices with such aids, 19 mm wide, 14 mm high, and 12 mm deep.
- i. The iris image capture device must be capable of capturing light in the range of 700 to 900 nanometers. The camera's near infrared illuminator(s) must have a controlled spectral content, such that the overall spectral imaging sensitivity, including the sensor characteristics, transfers at least 35% of the power per any 100 nm-wide sub-band of the 700 to 900 nm range.
- j. The iris image capture sensor shall use progressive scanning.
- k. Illumination shall be compliant with illumination standard IEC 825-1 and safety specification ISO 60825-1.
- l. In order to achieve acceptable recognition accuracy, the iris acquisition sensor must achieve a signal-to-noise ratio of at least 36dB.
- m. Within the frequency range of interest, 700 to 900 nm, the iris sensor shall generate images with at least 8 bits per pixel.
- n. The operator, not the Enrollee will handle the capture device.
- o. The Enrollee will be required to sit (or stand) in a fixed position, like taking a portrait photograph.



p. The iris capture device or the connected computer would be able to measure the iris image quality. An initial image quality assessment would be done to provide feedback to the operator during the capture process. The device alerts the operator if the captured iris image is of insufficient quality. The iris capture process is sensitive to ambient light. No direct or artificial light should directly reflect off Enrollee's eyes.

## ANNEXURE 9 FORMAT FOR PROJECT IMPLEMENTATION PLAN

### 1 Introduction

1.1 Purpose [Describe the purpose of the plan and describes the project to be implemented]

1.2 Project Overview [A description of the system to be implemented and its organization]

1.2.1 Project Description [An overview of the services the project will provide the system]

1.2.2 Assumptions and Constraints [Describes the assumptions made regarding the development and execution of this document as well as the applicable constraints]

1.2.3 Project Organization [A description of the project organization structure and the major components essential to its implementation]

1.3 Glossary [Lists all terms and abbreviations used in this plan]

2 Management Overview [A description of how the implementation will be managed and identifies the major tasks involved]

2.1 Description of Implementation [A description of the planned implementation approach]

2.3 Major Tasks [Descriptions of the major project implementation tasks]

2.4 Implementation Schedule [A schedule of activities to be accomplished]

2.5 Security and Privacy [An overview of the security and requirements that must be followed during implementation]

2.5.1 Security Setup [A description of the security setup to address the Confidentiality and Privacy concerns]

3. Implementation Support

3.1 Hardware, Software, Facilities, and Materials [Lists all support hardware, software, facilities, and materials required for the implementation]

3.2 Documentation [Lists any additional documentation needed to assist implementation]

3.3 Personnel

3.3.1 Staffing Requirements [Describes the number of personnel, length of time needed, types of skills, skill levels, expertise, and their roles and responsibilities]

3.3.2 Training of Implementation Staff [Describes the training necessary to prepare staff for taking up the task]

3.6 Performance Monitoring [Describes the performance monitoring tool, techniques and how it will be used to help determine if the implementation is successful]

4 Implementation Requirements by Site [Describes site-specific implementation requirements and procedures]

4.1 Site Name or Identification for Site X

[Identifies the site by name, location and ownership]

4.1.1 Site Requirements [Describes the requirements that must be met for the orderly]

4.1.2 Site Implementation Details [Description of the implementation team, schedule and processes required to accomplish the implementation at this site]

4.1.3 Risks and Contingencies [Describes the risks and specific actions to be taken in the event the implementation fails]

4.1.4 Implementation Verification and Validation [Describes the process for ensuring that task was not poorly executed]

4.2 Acceptance Criteria [Describe the criteria that will be used to determine the acceptability of the deliverables]

National Institute of Electronics & Information

Technology (NIELIT), Chandigarh Centre

(Formerly DOEACC Society, Chandigarh Centre)

(An Autonomous Scientific Society of Dept. Of Information Technology)

SCO 114-116, Sector 17—B, Chandigarh, Phone Nos. 0172-2702262, 2702265

Request for Quotation (RFQ)

Selection of "Managed Service Providers" for

Demographic Data Digitization for creation of National Population Register (NPR)

National Institute of Electronics & Information Technology, on behalf of Department of Information Technology, Govt. Of India, invites separate bids along with required Earnest Money Deposit (EMD) for demographic Data Digitization for Three (03) Zones of URBAN Areas for the States of Arunachal Pradesh, Sikkim and UT of Dadra & Nagar Haveli and Fifty Two (52) Zones of RURAL Areas for the States of Arunachal Pradesh, Assam, Bihar, Chhatisgarh, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Meghalaya, Mizoram, Punjab, Rajasthan, Sikkim, Uttar Pradesh and UT of Dadra & Nagar Haveli for the Creation of National Population Register for usual residents of India from Enrolling Agencies empanelled by Unique Identification Authority of India (UIDAI) for respective States. The Service Centre Agencies (SCAs) for respective State governments for rolling out CSCs under the CSC Scheme of NeGP (only for Rural Areas) may also bid for Rural Areas.

OBTAINING THE REQ DOCUMENT		IMPORTANT DATES	
IN PERSON		Release of RFQ	03.01.2012
Location	NIELIT, Chandigarh Centre	Last date for submission of Bids	25.01.2012
Time	09.30-17.00 Hrs	Submission of	By 5.00 PM

	Monday to Friday	Bids	
RFQ Document Fee Separate for Urban & Rural Areas	On payment of Rs.25,000/- in cash or by Demand Draft in the name of "Director, NIELIT, Chandigarh Centre".	Pre Bid Conference	11.01.2012 at SCOPE Complex, 7, Lodhi Road, New Delhi
FROM THE WEBSITE		QUERIES AND CLARIFICATIONS	
Website	<a href="http://www.nit.gov.in">www.nit.gov.in</a> , <a href="http://www.doeacc.edu.in">www.doeacc.edu.in</a> , <a href="http://www.doeacchd.edu.in">www.doeacchd.edu.in</a>		Address to : Project Coordinator, NPR, NIELIT, Chandigarh Centre, SCO 114-116, Sector-178, Chandigarh-160 017, Ph: 0172-2702262 2703285, 2702265
RFQ Document Fee Separate for Urban & Rural Areas	Demand Draft of Rs.25,000/- in the name of "Director NIELIT, Chandigarh Centre" will be submitted with bid responses	Through Letter	
RFQ Document Fee is Non-refunded and is non transferable		Through E-mail	dir_chd@doeascc.edu.in

The RFQ response should reach to the Director, NIELIT, Chandigarh Centre at its Branch office, New Delhi, 2<sup>nd</sup> Floor, Parsvnath Metro Mall, Inderlok Metro Station, Delhi – 110052 on or before 25<sup>th</sup> January, 2012 by 5.00 PM. Bids without requisite Earnest Money Deposit and Mandatory Documents are liable to be rejected. Bids received late would be rejected outrightly.

## Department of Information Technology

## National Population Register

Several government agencies are working towards the creation of the National Population Register. These include the Registrar General of India, the Department of Information Technology (DIT), DOEACC Society, CSC e-Governance Services India Ltd, and Managed Service Providers (MSPs). Role of DIT The Office of the Registrar General and Census Commissioner, India (ORG & CCI) has assigned Department of Information Technology (DIT) the responsibility of demographic data digitization and biometric data collection in 17 states and 2 Union Territories of India. DIT will undertake the following activities on behalf of the ORG&CCI to enable creation of the National Population Register and facilitate the issuance of UID number to the residents within the states assigned to DIT:

**Digitization:** The ORG & CCI will be responsible for scanning and Intelligent Character Recognition (ICR) of schedules collected from the field. Once ICR has been performed, the scanned images will be handed over to DIT to complete manual data entry in two languages, i.e. English Language and Local Language of the State.

**Biometric Enrolment:** Upon completion of manual data entry, DIT will capture biometric data of all residents aged 5 years and above.

**Data Consolidation and Delivery:** DIT shall consolidate the captured data, including demographic and biometric data, and deliver the same to ORG & CCI for further de-duplication and assignment of UID number by the UIDAI. DIT recognizes that this assignment calls for organizations which have demonstrable experience in

demographic data digitization and enrolment and also requires significant financial commitments from them in order to successfully execute it within the stipulated time schedule. Role of DOEACC

DOEACC Society is an autonomous Scientific Society of the Department of Information Technology, Ministry of Communications and Information Technology, Government of India. DOEACC has presence in 22 locations throughout the country having Head Quarter at New Delhi. The Society has immense capabilities for execution of e-Governance Projects. ORG&CCI has decided to digitize the data of Chandigarh on priority basis. The NPR activities have to be carried out by DIT. The overall responsibility for completing the work of Demographic Data Digitization & Biometric Enrolment in Chandigarh has been delegated to DOEACC by DIT.

MSPs The responsibilities of the MSP(selected bidder(s)) will include the following:

1. Identify and set up necessary all required infrastructure (including but not limited to furniture, fixtures, workspaces, computing, communication, peripherals, UPS etc..) at Chandigarh for performing the demographic data digitization exercise, based on the volume of work allocated as per the bidding process.
2. The data quality checking is the prime responsibility of the Bidder. One Supervisor should be appointed by the Bidder for every 10 Data entry Operators to carry out quality check of digitized records and accuracy of the data entered as per the data provided by the Purchaser.

3. The bidder will provide additional 10% (minimum) of the seats of data Entry and space and reserve/make available all infrastructural facilities for the Purchaser Officials/Representatives with required infrastructure for quality check.
4. Obtain the scanned images of NPR schedules from the Purchaser or their representative and carry out the task of Manual data entry accurately.
5. Obtain the data digitization software from the Purchaser and ensure installation of the software at all data digitization units. Registrar General of India(RGI) is responsible for the creation and maintenance of National Population Register(NPR). DOEACC Society is designated as a nodal implementing agency to take up the NPR project. It is availing the services of Managed Service Providers (MSPs) to perform Demographic Data Digitisation and Biometric Enrolment in 17 States and 2 UTs. It will engage with the CSP SPV for Monitoring and Supervising the NPR project in Rural Areas.



**ANNEXURE-P/10**

Chidabram Vs. Nilekani : New round in turf war over biometrics  
All India | NDTV Correspondent | Updated June IST

NEW DELHI The Union Cabinet has asked Nandan Nilekani who heads the massive Unique ID scheme to ensure the use of biometric data gathered by the Home Ministry's National Population Register (NPR) Project or his Aadhaar project. This after Home Minister P. Chidambaram wrote to the Prime Minister seeking his intervention and complaining that the NPR project had come to a standstill because Mr Nilekani refused to use its data.

Mr Chidambaram has complained that the NPR being prepared by the Registrar General of India under his ministry has come to standstill because of Mr

Nilekani's project. He says that the collection of photographs and biometrics has been facing hurdles at every step on account of the approach of the UIDAI which has failed to appreciate the core purpose of the National Population Register.

The two departments have been battling for some time over the issue of biometrics - the right to scan the Indian population's eyes and fingerprints. Initially Mr Nilekani's department was meant to use the NPR's data or its work. But because the NPR's collection of data was moving slowly Mr Nilekani's team or the Unique Identification Authority of India (UIDAI) asked for and received permission to collect the biometrics of crore Indians.

So both teams had the mandate to collect the same data - one for the social security scheme and the other for internal security. In January at a meeting chaired by the PM it was decided that Mr

Nilekani would continue his enrolment exercise in areas where his team had already collected information on more than 10% of the population. In the rest of the areas the Home Ministry project would collect fingerprints and iris scans of Indians and Mr Nilekani's team would then ensure that there was no duplication and would issue a unique identity number after which the Home Ministry would issue the Aadhaar card. Both Mr Chidambaram and Mr Nilekani had attended that meeting.

But in his letter to the PM which NDTV has access to, Mr Chidambaram has said that despite clear orders Mr Nilekani's team is objecting to the conduct of NPR camps in certain states and that it is also refusing to accept the biometric data of NPR or de-duplication and generation of the Aadhaar number.

The minister says his ministry has discussed the issue at length with the UIDAI but despite our best efforts the issue remains unresolved. Mr Nilekani met the Prime Minister earlier in the day.

Nandan Nilekani was head-hunted by the government in 2009 from Infosys to lead the Unique Identification Authority of India, India's most ambitious project that aims at issuing to every Indian a card bearing a 12-digit ID or Aadhaar which will be stored in a central database and linked to the individual's fingerprints and other biometric data. This unique ID will help India's poor avail the welfare schemes and benefits they are entitled to, currently over-run by corrupt middlemen.

Mr Nilekani's department has so far spent Rs 1,000 crores and enrolled 10 crore Indians with their biometrics.

Story First Published June IST

Nilekani, Chidambaram resolve row over UID

NEW DELHI: The ongoing conflict between the Plan panel and the Home Ministry over issuance of chip-based smart cards to all residents was put to rest today as the government cleared the UIDAI's proposal to enroll an extra 40 crore people in 16 states, while the biometrics in other states will be collected under the NPR project.

While the government has cleared additional Rs 5,791.74 crore for the UIDAI, the Nandan Nilekani-led UIDAI has assured that the security concerns raised by the Home Ministry would be addressed.

"We will review the security concerns in the next six to eight weeks and begin the process of collection of data from April," Nilekani told reporters here after his proposal was cleared by the Cabinet Committee on Unique Identification Authority of India (UIDAI).

Briefing reporters, Home Minister P Chidambaram said there was no difference with the Planning Commission over the issuance of the cards.

However, in case of "discrepancies between UIDAI data and NPR data, NPR will prevail," Chidambaram said and added the new system is as secure as humanly possible.

"Aadhaar (issued by UIDAI) is voluntary and NPR is mandatory...It is a government programme," Chidambaram said and maintained that the issue of duplicacy of the data has been avoided.

"Most avoidable duplication and avoidable costs have been avoided," he said and explained that residents who had been issued "Aadhaar" number issued by UIDAI will not have to give their biometrics again for the NPR.

The chip-based Multipurpose National Identity Card issued by the NPR will capture 15 details of every individual where as the UIDAI collects five fields.

Stay updated on the go with The Times of India's mobile apps. Click [here](#) to download it for your device.

## Nilekani-PC differ on UID data safety; Aadhar hits roadblock

Posted by: Anita

Published: Friday, November 18, 2011, 8:44 [IST] Use ← → keys to  
browse more stories

New Delhi,

Nov 18: Looks like the much hyped Unique Identification project had to face a fall from glory when Union Home Minister P Chidambaram commented that the biometric census done for the same did not pass the security criteria. Popular channel CNN-IBN accessed letters written by Chidambaram and the Registrar General that expressed fear of misuse of the data collected.

The Home Minister also stated that the issue should be taken up by the Cabinet Committee on UID on priority. He said, "The possibility of fake identity profile in the UID data is real."

With the issue snowballing into something huge, the new confusion is regarding who has the authority to collect the biometric data of Indians. UIDAI Chairperson Nandan Nilekani rubbished the allegations and said, "The Aadhaar cards have been given based on the UID data taken as per the accepted procedure."

In a further blow to the safety aspect of the Aadhar UID cards, Chidambaram in his letter to Deputy Chairman of Planning Commission Montek Singh Ahluwalia stated that the data collected

for UID does not meet the criteria laid out under the National Population Register with regards to national security.

Nilekani, clearing doubts was quoted as saying, "As far as the enrollment of residents is concerned, the UIDAI follows three methods (approved by Demographics Standards and Verification Procedure Committee) for collecting data: Document based, Introducer based as well as the NPR process. This data (both demographic and Biometric) is the basis on which the unique Aadhaar number is issued."

The contentious issue is understood to be that any person can get a UID card without any checks. There are also chances of fake profiles and terrorists making use of the opportunity to make themselves a UID card.

Aadhar has been able to make 12 crore UID numbers at a budget of Rs 470 crore with plans to cover population of 20 crores.

OneIndia News

UID data not secure, says Chidambaram – IBNLive

UID can be generated by producing documents without any verification. A Mumbai resident can get his UID number in Delhi. Also, all residents are not being covered and there is no legal sanctity to data collected.

There has also been a serious serious showdown between the Registrar General of India and the UIDAI on whether the Aadhaar data that includes photographs, fingerprints and the iris can be used for the National Population Registrar in its present form.

The Registrar General's contention is that Nilekani's department should issue the Unique Identity Number, but the job of collecting biometric data should be left to the Registrar General.

The question is whether the Aadhaar data can be used in its present form even if the Home Ministry is reluctant to accept it.

Nandan Nilekani in a written response to CNN-IBN has said that the UIDAI data is collected as per approved procedures.

"As far as the enrollment of residents is concerned, the UIDAI follows three methods (approved by Demographics Standards and Verification Procedure Committee) for collecting data: Document based, Introducer based as well as the NPR process. This data (both demographic and Biometric) is the basis on which the unique Aadhaar number is issued," Nilekani said in his letter.

Aadhaar has so far generated 12 crore Unique Identity Numbers with a budget of Rs 470 crore. It is authorised to create UIDs for 20

crore people. The Cabinet Committee on UIDAI is expected to resolve this deadlock.

While some in the government would like to dismiss this as a turf battle that can easily be sorted out, the issues raised go beyond ego tussles. If UID numbers can be generated using fake identities and stolen data, the fear in the Home Ministry is that even terrorists from across the border can get themselves enrolled. Besides, it negates the very purpose of creating a secure data base of people across the country.



MEMORANDUM OF UNDERSTANDING  
BETWEEN THE UNIQUE IDENTIFICATION AUTHORITY OF INDIA  
AND  
THE REGISTRAR GENERAL OF INDIA  
FOR THE IMPLEMENTAION OF THE UID PROJECT

This Memorandum of Understanding (MoU) has been executed on the 16<sup>th</sup> March, 2011 between the Unique Identification Authority of India (hereinafter referred to as "UIDAI") and the Registrar General of India (hereinafter referred to as "The RGI").

Preamble

Whereas, the Government of India has set up Unique Identification Authority of India (UIDAI) with the mandate to issue Unique Identification Numbers (called "Aadhaar numbers") to all residents of India (UID project).

Whereas, the RGI is creating the National Population Register (hereinafter referred to as "The NPR") under the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 read with the Citizenship Act, 1955.

Whereas, in order to achieve convergence in the implementation of the UID project and the NPR exercise, the RGI is entering into this MoU with the uidai.

Whereas, this MoU shall come into effect from the date of execution of this MoU.

Definitions

Unless the Context requires otherwise;

Registrar means any entity authorised or recognised by the UIDAI for the purpose of enrolling individuals for UID numbers, Registrars include Departments or Agencies of the Central Government/State Government/Union territory, who, in normal course of implementation of some of their programs, activities or operations interact with residents and are authorized by the Central Governments/ State Governments/Union Territories to enrol residents into the UID System.

Sub-Registrars are agencies of the RGI for undertaking enrolment.

Enrolling Agencies are entities hired by the Registers/Sub-Registrars to perform enrolment functions.

UID Project and the scope of the MoU

1. The UIDAI has the mandate from the Government of India to issue unique identification numbers (UID numbers) to residents of India based on demographic and biometric data of the individual. UIDAI will partner with Government and other agencies leveraging their existing infrastructure in order to implement the UID project. These Agencies will be called the Registrars of UIDAI.
2. Several Registrars are embarking on capturing the biometrics and are ready to enrol residents into the UID system for better targeting and improving their service delivery. UIDAI has created necessary infrastructure to issue UID numbers through Multiple Registrars.

3. UIDAI shall set standards and processes for enrolment to be uniformly followed by all Registrars and Enrolling Agencies. The UIDAI will issue UID numbers after checking that the resident applying for UID does not already have a record and number in the UID database. In addition, the UIDAI will provide online Authentication service.
4. This MoU between the UIDAI and the RGI, as a Registrar, sets out below, the general and broad-based intentions of both Parties for collaboration and as an umbrella understanding for facilitation of subsequent agreements and documents relevant for the implementation of the UID project.
5. The UIDAI shall prescribe standards, procedures and processes for enrolment and authentication of residents which will be adhered to by the RGI/Sub-Registrars of RGI and enrolling agencies appointed by the Sub-Registrars.
6. In the interest of clarity and to reduce ambiguity, the UIDAI may execute additional agreements and documents to capture details about implementation of UID Project with RGI as Registrar.
7. UIDAI shall-
  - a. Develop and prescribe standards for recording data fields, data verification and biometric fields.
  - b. Prescribe a process for enrolment of residents; this will include among other things the process for collection of biometric data.

- c. Prescribe the standards and criteria to be fulfilled by an agency to be appointed as a Registrar.
- d. Provide/prescribe the software that will be used for the enrolment of people into the UID data base in order to issue the UID numbers.
- e. De-duplicate the database of the residents on the basis of the Demographic and Biometric data and issue UID numbers to only those whose uniqueness of identity has been established and after ensuring that the person has not enrolled in the UID database before.
- f. Issue a letter communicating the UID number directly to the person who has been allotted UID number after de-duplication, UIDAI will also communicate the UID number electronically with the RGI in UIDAI prescribed format.
- g. Authenticate the identity of a person with a UID number as per the protocols prescribed by the UIDAI.
- h. Prescribe protocols for record keeping and maintenance of the information collected for the issuance of a UID number.
- i. Prescribe protocols for transmission of the data collected for de-duplication.
- j. Prescribe protocols to ensure the confidentiality, privacy and security of data.
- k. Prescribe limits for fees that could be charged for issuing a UID number.

- l. Prescribe protocols for spreading and communicating the message, content and intent of the UID project. Since the UID logo and brand name are properties of the UIDAI, the UIDAI will prescribe the manner and limits of the use of UIDAI logo, brand name, brand design and other communication and awareness materials.
  - m. Prescribe other protocols, processes and standards that the UIDAI may deem necessary for the implementation of the UID project.
  - n. Call for information and records, conduct inspections and enquiries and audit of the operations pertaining to the UID project.
  - o. Conduct periodic audit of the enrolment process and to this end shall have the power to visit and inspect offices of the Sub-Registrar and Enrolling Agencies. Such audits are necessary to ensure the integrity of the enrolment process and to ensure uniformity across the country.
  - p. Prescribe mechanisms for resolution of grievances that the residents may have during enrolment and authentication.
8. The RGI shall-
  - a. Co-operate and collaborate with the UIDAI in conducting proof of concept (PoC) studies and pilots to test the working of the technology and process of enrolment into the UID database.
  - b. Be the Registrar for the implementation of the UID project (including PoC and pilots) and shall do all that is

necessary and required in order to effectively complete the PoCs and pilots.

- c. Put in place an institutional mechanism to effectively oversee and monitor the implementation of the UID project in general and monitor specifically enrolling agents.
  - d. Cooperate and collaborate with and provide all assistance and support to the Deputy Director Generals (DDGs) concerned of the UIDAI and other staff members/consultants/advisors of the UIDAI to effectively implement the UID project.
  - e. Provide logistic and liaison support to the staff and representatives of UIDAI when they visit the Enrolling agencies enrolling under the UID project on behalf of RGI.
  - f. Work with the UIDAI to resolve difficulties faced on the ground in the implementation of the UID project.
  - g. Follow the process set out by the UIDAI for resolution of difficulties and conflict regarding matters concerning the UID project.
9. The following is an indicative list of the obligations of the Registrar. Notwithstanding anything contained in this clause, this list can be expanded or elaborated as required to ensure integrity and uniformity of enrolment into the UID database. In order to implement the UID project, the RGI shall-

- a. Either do the enrolment directly or through Enrolment Agencies who shall be identified and appointed by RGI or his duly appointed agents (UIDAI may recommend certain criteria to be fulfilled to be an Enrolling Agency). The Enrolling Agencies will be working on behalf of RGI and their should follow all the standards, protocols, processes laid down by the UIDAI to implement the UID project. RGI must ensure compliance by the Enrolling Agencies of the standards, protocols, processes laid down by the UIDAI on a continuous basis.
- b. Follow the standards for data fields, data verification and biometric fields prescribed by the UIDAI.
- c. Follow the process for enrolment of residents, this will include among other things the process for collection of biometric data prescribed by the UIDAI.
- d. Use the software developed by the UIDAI for the enrolment of people into the UID database for the issuance of the UID number.
- e. Use only those devices and IT systems whose specifications have been approved by the UIDAI.
- f. Follow the protocols prescribed by the UIDAI for record keeping and maintenance.
- g. Follow the process and systems prescribed by the UIDAI for transmission of the data collected for de-duplication.

- h. Follow the confidentiality, privacy and security protocols prescribed by the UIDAI.
- i. The Registrars can collect any data in addition to what is prescribed by the UIDAI for the purpose of rendering any service based on UID number.
- j. Follow protocols prescribed by the UIDAI for spreading and communicating the message, content and intent of the UID project. Since the UID logo and brand name are properties of the UIDAI, the UIDAI will prescribe the manner and limits of the use of UIDAI logo, brand name, brand design and other communication and awareness materials.
- k. Follow protocols, processes and standards prescribed by the UIDAI for the implementation of the UID project.
- l. Allow the UIDAI to conduct periodic audit of the enrolment process and to visit and inspect the offices and records of the Sub-Registrar and Enrolment Agencies and any other place the UIDAI or its empowered agency may deem necessary for their purpose.
- m. Submit information and records, allow inspections and inquiries and audit of the operations pertaining to the UID project.
- n. Submit periodic reports of enrolment to the UIDAI in the form and manner prescribed by the UIDAI.



- o. Provide logistic and liaison support to the staff and agents of UIDAI when they visit the offices of the RGI.
- p. Provide information related to the UID project to the UID from time to time as requested by the UIDAI.
- q. Work with the UIDAI to resolve difficulties faced on the ground in the implementation of the UID project.
- r. Follow the process set out by the UIDAI for resolution of difficulties and conflict regarding matters concerning the UID project.

#### Miscellaneous

- 10. At the time of collecting data for the purpose of the UIDAI, RGI may collect data from the resident that is required for the purpose of creating NPR.
- 11. In situations where the processes and standards for enrolment set by the UIDAI are not followed or are violated (wilfully or otherwise) by the Sub-Registrar and/or an Enrolling agency, the UIDAI shall make reasonable attempts to discuss and attempt to resolve difficulties with RGI. Pursuant to which if the recommendations of the UIDAI are not implemented and the matter settled to the satisfaction of both the parties, the UIDAI shall have the option to de-register or demand replacement of the enrolling agency as the case maybe.
- 12. Any provision of this MoU may be amended or waived if, and only if, such amendment or waiver is evidenced by a written instrument signed by duly authorised representatives of the

Parties or, in the case of a waiver, by the Party against whom  
the waiver is to be effective.

IN WITNESS WHEREOF, the undersigned have executed this MoU, in  
duplicate, as of the date set forth above.

On behalf of UIDAI

On behalf of RGI

Sd/-

Sd//

(Anil Khachi)

(K.S.Sawhney)

Deputy Director General

Joint Secretary & Joint Registrar  
General of India

**ANNEXURE-P/12**

## THE SECOND SCHEDULE

(See section 24)

Intelligence and security organisation established by the Central Government

1. Intelligence Bureau.
2. Research and Analysis Wing of the Cabinet Secretariat.
3. Directorate of Revenue Intelligence.
4. Central Economic Intelligence Bureau.
5. Directorate of Enforcement.
6. Narcotics Control Bureau.

Aviation Research Centre.

8. Special Frontier Force.
9. Border Security Force.
10. Central Reserve Police Force.
11. Indo-Tibetan Border Police.
12. Central Industrial Security Force.
13. National Security Guards.
14. Assam Rifles.
15. Special Service Bureau.
- 16.

Special Branch (CID), Andaman and Nicobar.

17. The Crime Branch-C.I.D.- CB, Dadra and Nagar Haveli.
18. Special Branch, Lakshadweep Police.

Interview with R.S. Sharma,  
DG and Mission Director, UIDAI.

BY SPECIAL ARRANGEMENT

R.S. Sharma. He says fingerprints present a challenge.

IN the massive task of giving individual residents of the country a unique identity number, the Unique Identification Authority of India (UIDAI) is the sole project operator. The Director-General & Mission Director of the authority, headquartered in the capital, R.S. Sharma, an affable and active functionary overseeing eight regional offices across the country, spared time to speak to Frontline.

There has been criticism that the National Population Registry (NPR), created as part of the Census 2011 operations with an enrolment process similar to that of the UIDAI, would lead to duplication of work at public expense. R.S. Sharma is confident that the benefits will outweigh the costs. Asked how the project was progressing, he said all targets so far had been met. Excerpts from the interview:

How far have you progressed?

We have a tentative target of 20 crore [200 million] enrolments. We should be able to achieve this because we have already received data of about 12 crore people. In the field [data of] 14 crore may have been received because there is a time lag in the data entry process.

What are the glitches?

There are some places where all facilities are available, while in other places no infrastructure or power is available. Logistical challenges are significant, especially in backward regions such as some districts of my own State, Jharkhand. Despite these odds, there is huge enthusiasm among the people. In one centre, there are four machines that can enrol approximately 200 people – one kit does 50 enrolments in a day. If you have 500 people standing in the queue, it is clear that 300 will go back, and this is actually a very bad thing because they wait before going back. We are trying to devise methods such as tokens that are issued beforehand. We have introduced in urban areas such as Delhi an online appointment system.

The biometric attributes of the residents are going to be used as a basic signature for de-duplication and to ensure uniqueness. The UIDAI has decided that the face, all 10 fingerprints and both iris scans should be collected at the time of capturing biometric details of the residents. This way we will be able to ensure uniqueness of the IDs. The other challenge we face is the quality of fingerprints. Capturing fingerprints, especially of manual labourers, is a challenge. The quality of fingerprints is bad because of the rough exterior of fingers caused by hard work, and this poses a challenge for later authentication.

We are creating an infrastructure by which one will be able to authenticate himself or herself through a mobile device. If you enter your name, number and fingerprint in the mobile, all this goes to our data centre where we will check these details. For manual labourers,

this authentication will be difficult because only one or two of the 10 fingerprints may be good.

It may happen that you may have a very good fingerprint but the method of capturing is sloppy. That again causes problems of authentication. We will be able to ensure the accuracy in 99 per cent of the cases because of the other biometric details. Even if the fingerprints do not work, the iris scans will. Issuing a unique identity will not be a major problem. But authentication will be, because fingerprint is the basic mode of authentication.

Why is there a multiplicity of registrars?

NPR data would be aligned with ours. What you refer to may be the existence of multiple registrars, which might escalate cost and duplication. This issue has been taken to the Cabinet Committee on UID presided over by the Prime Minister. Its members include the Planning Commission Deputy Chairman and the Home Minister. We have the mandate to collect [data of] up to 20 crore [people], which we are completing. Thereafter, who will do the collection and how, are issues that the Cabinet will decide.

How will the UID number help people living on the margins?

It is a means to enable access to services. In this country it is not you and me who need identity papers – we have too many of them. But there are many people who do not have any papers. Because of that they are denied access to services. We focus on people who live on the periphery. We have organised special camps to ensure that when we issue, say, 600 million UIDs, they will include those who need them most.

**ANNEXURE-P/14**

UNIQUE IDENTIFICATION AUTHORITY OF INDIA  
PLANNING COMMISSION GOVERNMENT OF INDIA  
3rd Floor, Tower-II, Jeevan Bharati Building,  
Connaught Circus, New Delhi - 110001 NOTICE INVITING  
APPLICATIONS FOR HIRING OF BIOMETRICS CONSULTANT  
(A\_II016/07/10-UIDAI)

The Unique Identification Authority of India (UIDAI) invites applications from experienced individual professional consultants working in the area of Biometrics for assisting in proof of concept of Biometric solutions for UIDAI project. The duration of consultancy assignment would be for, six months beginning March'2010.

For the details of qualifications and list of deliverables, applicant may see [www.uidai.gov.in](http://www.uidai.gov.in) with subject 'Hiring of Biometric Consultant' (under Tenders section).

The applications with CV should reach the Deputy Director General , UIDAI, 3rd Floor Tower-II Jeevan Bharati Building, New Delhi - 110001 and/or may be emailed to , [ddguidai@gmail.com](mailto:ddguidai@gmail.com) with subject 'Hiring of Biometric consultant' on or before 23th February 2010.

All queries and clarifications should be addressed to: 'Deputy Director General, UIDAI, 3rd Floor Tower-II Jeevan Bharati Building, Connaught Circus, New Delhi; Tele/FaX:011- 23752671,23753706.

SD/-  
B.B.Nanawati  
Deputy Director General .  
VIDAI, New Delhi

UNIQUE IDENTIFICATION AUTHORITY OF INDIA  
PLANNING COMMISSION  
GOVERNMENT OF INDIA  
3rd Floor, Tower-II, Jeevan Bharati Building,  
Connaught Circus, New Delhi – 110001

F.No. A-11016/07/09/-UIDAI

Hiring of Biometric Consultant for UIDAI  
[For assisting in POC of Biometric Solutions]

Qualifications : Biometrics Consultant

- Doctorate in biometric technology from international university recognized for outstanding biometric work.
- Actively involved in research and must have authored numerous research papers and books on biometric technology
- Hands on experience in biometric matching algorithm including original contribution in the same .
- 5+ years of experience as chief scientist or CTO in a biometric company or equivalent role in the consulting company.
- Hands on experience in designing and evaluating different algorithms at mathematical/internal level Deliverables

1. Build biometric component of enrolment workstation software including automated quality check and enhancement tools for PoCo

The success of the UID project depends on the accuracy of biometric de-duplication to ensure that one person can obtain only one UID number. The most significant factor contributing to the accuracy of biometric de-duplication is the quality of acquired biometric data. Many factors affect quality of biometric data. The most important factor affecting quality



of capture is capture process, quality feedback, and quality of capture devices.

The capture process is a combination of logistics of biometric data acquisition, ergonomic considerations (e.g., should the subject be standing or sitting etc.), sequence of actions for the operator, sequence of actions for the subject, the ease of use of the capture software, and type of quality feedback, capture sequence, etc. The capture software should be intuitive, easy to use, and assist in capture process in such a way as to maximize the quality of captured biometric data as well as throughput.

UIDAI needs high quality design and implementation of capture software as well as process that maximizes the quality of captured biometric data in the Indian context. For the western world, NIST for instance has invested tens of man-years of work to come up with recommendations for biometric capture process. See <http://www.ngs.nist.gov/biometric/>. Studies conducted by NIST have included usability of height and angles of ten-print fingerprint capture, types of instructions provided to the subject, effect of scanner/table height on the fingerprint capture, health and safety perception of biometric devices, effects of habituation to biometric devices etc. UIDAI requires design and development of capture software that is appropriate for the Indian context as well as a detailed process flow that is adapted to rural India.

Also, specific considerations need to be made for the particular application of the UID in India.

The Consultant will generate a reference design and implementation of biometric capture software and process be studied, developed and delivered to UIDAI in source code. The reference implementation will be designed such that biometric device from different vendors can be integrated easily.

2. Design biometric PoC to test key hypothesis (list hypothesis and importance of hypothesis) and to use for benchmarking during pilot biometric vendor selection.

There are two objectives of the UIDAI biometric PoC. The first objective is to assess the biometric de-duplication accuracy that can be achieved in the Indian context. NIST has spent considerable efforts over the past 10-15 years in benchmarking the state-of-the-art. extractor and matching technology for fingerprint, face, and iris biometrics on the western population. See <http://fingerprint.nist.gov/>, <http://face.nist.gov/>, and <http://iris.nist.gov/>. While NIST documents the fact that the accuracy of biometric matching is extremely dependent of demographics and environmental conditions, there is a lack of a sound study that documents the accuracy achievable on Indian demographics (i.e., larger percentage of rural population) and in Indian environmental conditions (i.e., extremely hot and humid climates and facilities without air-conditioning). In fact we could not find any credible study assessing the achievable accuracy in any of

the developing countries. UIDAI has performed some preliminary assessment of quality of fingerprint data from Indian rural demographics and environments and the results are encouraging. The "quality" assessment of fingerprint data is not sufficient to fully understand the achievable de-duplication accuracy. The next step is to acquire biometrics data from the Indian rural conditions in two sessions (with a time difference) and assess the matchability of the biometric data - each biometric (fingerprint and iris) on its own as well as in a combination ..

The second objective of PoC is to collect biometric data to be used in benchmarking biometric de-duplication technology and software. Such a benchmark will be critical in vendor selection. Biometric de-duplication technology is a complex technology that requires several evaluation criteria to be assessed simultaneously. For example, false positive identification rate (FPIR) and false negative identification (FNIR) rate as well as the change in these error rates as related to number of identities in the gallery. Further, the matching speed is related to the error rates' as well as number of identities in the gallery. NIST has conducted a large number of vendor , comparisons over the past two decades. However there are two problems in using NIST evaluations for UIDAI. Firstly, NIST has not conducted the evaluation with the UIDAI application in mind, for example, NIST does not benchmark matching speed together' with

matching accuracy. Secondly, the benchmarks are a snapshot in time while the technology evolves over a period of time. As a result, many of the NIST benchmarks can be outdated. And finally, NIST has not benchmarked fusion of the biometrics relevant to UIDAI.

The Consultant will specify key hypothesis should be tested to understand the achievable accuracy from biometrics on Indian demographics and conditions.

The Consultant will design PoC process to collect necessary data to test the hypothesis. The design should be statistically valid and accurate to achieve stated goals.

3. During PoC sample and monitor software and process to suggest improvements in the process.

The UIDAI PoC will commence with biometric enrolment capture software as specified/required above. As the PoC progresses in the field, the operation of capture software and process will need to be monitored. Such monitoring is required to fine tune the software and process to make it as efficient as possible. Example may include a change in the sequence of biometric data capture, a change in the physical setup of the capture stations or a change in the instructions provided to subjects, or a fine tuning of parameters in the capture software may result in a more efficient and more effective process. Efficiency in biometric data capture can result in huge cost savings when the UIDAI program scales to a large population. The capture software and process also

needs " monitoring to fine tune the quality of biometric capture. It is well known that the quality of captured biometric data is the most important factor contributing to the de-duplication accuracy. The captured biometric data from the PoC is required to be monitored to fine tune the software and process.

The Consultant will visit PoC fields sites, review the , operation, make observation, suggest improvement and provide final report stating level of conformance with the designed plan. The Consultant will provide in writing report on recommended changes for the remaining PoC process.

4. Design analytical models and process for calculating accuracy and performance of different biometric traits as well as fusion of multiple traits from the PoC data.

Evaluation of biometric technology is a complex task not only due to the fact that it needs to be evaluated on a number of parameters but also due to the fact that the evaluation is statistical in nature. The results may not be repeatable if there are even slight changes in any parameters. UIDAI requires design of analytical framework to specify which types of tests are to be conducted and how to assess if the test results are statistically significant. UIDAI requires design of experiments to assess how to combine the biometrics used in the UIDAI application (10 fingerprints, 2 iris, and face) to achieve the correct balance among throughput, cost, and the matching accuracy. If not carefully assessed and evaluated, UIDAI may

procure software that is more expensive, requires a larger data center, and yet not very accurate. This balance of accuracy and performance is very delicate and UIDAI application specific.

The Consultant will provide detailed methodology and process for calculating accuracy and performance for each biometric modality separately as well as different applicable combination (fusion) of modalities for PoC

5. Review biometric operational best practices document for urban and rural environment including enrolment , sequencing and monitoring to result in highest quality of capture.

As mentioned above, UIDAI requires initial enrolment capture software and process design and implementation for the PoCo. Fine tuning of the software and process will occur during the data capture of the PoCo. After the PoC, the capture software and process will need to be updated and generalized for the UIDAI Pilot. This is due to the fact that post-PoC, the software and process will be required to be more generic. For example, different process may be followed in rural locations than in urban locations. Slightly different processes may be required in different states. While process must be adapted to be more generic, the process should still acquire the best possible biometric data. UIDAI requires expert review of the operational best practices document for urban and rural environment. This review will include the software used for biometric data capture, devices used for the capture, as well

as the process followed. The review will be conducted through an examination of the biometric data collected from the field.

The Consultant will review final PoC result documents for accuracy, completeness and best practice recommendations.

The Consultant will review final software and provide written report on suggested enhancements for Pilot phase.

6. Develop biometric technology requirements to be given to PMC for MSP tender.

The PMC is responsible for writing tender to select Managed Service Provider. The specific requirements for biometric enrolment, de-duplication and authentication server need specialized knowledge of biometric algorithms, image processing techniques and statistical tools. The requirements will also cover integration of biometric solution with the remaining UID. This integration must be done in a way to avoid vendor lock-in, utilize opens source technology to the extent possible and support e-governance cloud architecture. Each component of biometric solution should be modular and would allow solution for its replacement without affecting remaining components.

The requirements will also include models for balancing accuracy against resource requirements (H/W) and dynamically changing matching algorithm threshold as the database size increases. Finally, the requirements must meet UID Biometric, Standards and other international standards. The Consultant will provide comprehensive requirements to

the PMC to be included in the MSP tender. The requirements will include the design of the system as well as the biometric technology requirements and judgment criteria.

7. Develop biometric de-duplication design for pilot and support integration needs of the Pilot software development team.

The UIDAI technology team will develop VID Pilot software. The Pilot software will integrate biometric de-duplication software from short listed biometric solution vendor. UIDAI requires the design of biometric software into the Pilot software such that multiple biometric vendor solution can be easily integrated and operated in parallel. The overall design should be robust, general, scalable, and avoid vendor technology lock-in. It should be standards based and quality conscious.

The Consultant will generate a document containing the design of the biometric component for the UIDAI Pilot as well as providing support for the integration of biometric technology into the Pilot software. The integration may combine different biometric technologies from different vendors. The integration design must achieve the right balance among accuracy, speed, and cost of software and computational resources (data center).

8. Design benchmarking requirements and , benchmarking process for evaluating vendor solution during Pilot During the tender evaluation process (concurrent with Pilot), the specific proposals of the biometric vendors will be required to be



benchmarked and evaluated. Such an evaluation will consider biometric de-duplication accuracy, matching speed, and cost of the software and computational resources. UIDAI needs requirements for vendor in terms of deliverables from the vendors. UIDAI also needs requirements and process for evaluating the vendors on biometric technology as well as integration. The benchmarking protocols must be representative of the UIDAI, application. For example, under the patriot act, NIST performed many large benchmarks between 2002 and 2006 for the specific application of border control in the US. See <http://www.itl.nist.gov/iad/894.03/pact/pact.html>. Such efforts are required for the specific application of UIDAI. The design of benchmarking and benchmarking process for evaluating solution during vendor selection is required by UIDAI to be performed diligently. The database during pilot will remain small compared to the eventual , target of 1.2B. The benchmarking may consist of synthetically generating biometric samples or collecting data from pre-existing databases of the various GoI departments and agencies. The benchmarking will incorporate several variables: database size, accuracy, resource requirements and performance. Therefore the benchmarking protocol must be designed scientifically to meet UIDAI's goals.

The Consultant will in conjunction with UIDAI Pilot team will develop benchmarking requirements and process for vendor evaluation.

9. Evaluate benchmarking results and provide comparative benchmark assessment.

Once the benchmarking is performed as per the design that will result from the point above, the results will be required to be analyzed and interpreted. As mentioned before, biometric evaluations are multi-dimensional. And more importantly the biometric evaluations are statistical. The statistical significance of the test results are required to be analyzed for UIDAI.

The Consultant will develop framework for collecting benchmark results and analyzing the final data. The Consultant will review the results and provide his interpretation of the results. Finally, the Consultant III will recommend the biometrics solution based on the benchmarks.

Template Aging in Iris Biometrics: Evidence of  
Increased False Reject Rate in ICE2006

Sarah E. Baker, Kevin W. Bowyer, Patrick J. Flynn and P. Jonathon  
Phillips

**Abstract** Using a data set with approximately four years of elapsed time between the earliest and most recent images of an iris (23 subjects, 46 irises, 6,797 images), we investigate template aging for iris biometrics. We compare the match and nonmatch distributions for short-time-lapse image pairs, acquired with no more than 120 days of time lapse between them, to the distributions for long-time-lapse image pairs, with at least 1,200 days of time lapse. We find no substantial difference in the non-match, or impostor, distribution between the short-time-lapse and the long-time-lapse data. We do find a difference in the match, or authentic, distributions. For the image dataset and iris biometric systems used in this work, the false reject rate increases by about 50% or greater for the long-time-lapse data relative to the short-time-lapse data. The magnitude of the increase in the false reject rate varies with changes in the decision threshold, and with different matching algorithms. Our results demonstrate that iris biometrics is subject to a template aging effect.

## 1 Introduction

The term "template aging" refers to degradation of biometric performance that occurs with increased time between the acquisition of an enrolment image and acquisition of the image

compared to the enrollment. Template aging effects are known to exist for biometrics such as face and fingerprint [7][28][31][19][27].

The iris biometrics community has long accepted the premise that the iris is "essentially stable" throughout a person's life, and that this means that template aging does not occur for iris biometrics. Daugman stated the core assumption this way "As an internal (yet externally visible) organ of the eye, the iris is well protected and stable overtime"[8]. This assumption is commonly repeated in research publications dealing with iris biometrics: "[the iris is] stable over an individual's lifetime"[30], "[the iris is] essentially stable over a lifetime"[22], "the iris is highly stable over a person's lifetime"[24]. The commercial iris biometrics literature explicitly connects this to the idea of lifetime enrollment - "only a single enrollment in a lifetime"[17].

Note that claims about stability of the iris texture and "lifetime enrollment" are never presented as dependent on the particular sensor, algorithm, length of time lapse or any other condition. They are presented as universal claims about iris biometrics in general. Thus a single counter-example is sufficient to disprove the universal claim.

It is well known in the medical literature that the eye and iris undergo a variety of changes with age[2] [5] [12] [23] [33] [34]. Any of these effects could in principle alter details of the imaged iris texture. It is also possible that a template aging effect could be due to aging of the sensor, changes in how a person uses the biometric

system, or other factors. The essential question for iris biometrics is - does the quality of a match between two images of the same iris change with increased time between the enrollment image and the image to be recognized? That is, does a template aging effect exist? We present results of the first systematic investigation of this question.

We use an image data set involving 23 persons (46 irises) with approximately four years of time lapse between the earliest and latest images of a given iris. We consider image pairs in a short-time-lapse group, representing no more than 120 days of time lapse between the two images, and in a long-time-lapse group, representing at least 1,200 days of time lapse. We experiment with three iris biometric systems: our modification of the IrisBEE baseline matcher [26], Neuro technology's VeriEye system [32], and the Cam-2 submission to the Iris Challenge Evaluation 2006 [25]. We find that, for each of the three systems, there is no significant difference in the non-match, or "impostor", distributions between the short-time-lapse and the long-time-lapse data. We also find that, for each of the three systems, the match distribution for the long-time-lapse data is different from that for the short-time-lapse data in a way that results in an increased false reject rate. Thus, we observe clear evidence of a template aging effect for iris biometrics.

## 2 Previous and Related Work

We do not know of any experimental study that supports the conclusion that template aging does not occur for iris biometrics.

Claims about the stability of iris texture appear to be based on subjective human visual perception of iris texture in visible-light images of the iris. However, it has been shown that humans are able to perceive similarities in iris texture that do not result in closer iris biometric matches [15]. Thus human perception of the general iris texture pattern does not automatically or necessarily imply anything about iris biometric operation.

Gonzalez et al. [29] report an effect of time lapse on iris recognition that may initially seem similar to our results. However, Gonzalez et al. compare matches between images acquired at the same acquisition session with those acquired with at most three months time lapse. They report a better match statistic for images from the same session than for those across sessions. However, they show little change in match statistics when comparing matches with short time lapses, between two weeks and three months. In our results presented here, we do not consider matches between images acquired in the same acquisition session, as we expect that this is not representative of a real-world biometric scenario. We expect that "same session" images will generally result in a typically good matches. Like Gonzalez et al., we do not find any significant difference in match scores for images with a few months time lapse. However, when considering a longer time lapse than that examined in Gonzalez et al., we do observe a statistically significant degradation in match scores.

This paper expands upon our initial results [4] in several ways. First, we have increased the number of subjects from 13 to 23 and the

number of irises from 26 to 46. Second, in [4] we only considered images from spring 2004 and spring 2008 and the matches within one semester and matches across the four years. In this work we now consider all images acquired from 2004 through 2008 and have set two time thresholds in defining our short-time-lapse and long-time-lapse matches. Third, we have tested the time-lapse effect on two additional iris biometric algorithms: Neurotechnology's VeriEye [32] and the Cam-2 submission to the Iris Challenge Evaluation 2006 from the University of Cambridge [25]. We also test for various possible causes of match score degradation with increased time lapse. Finally, we present ROC curves for short-time-lapse and long-time-lapse matches for each of the three algorithms, and explicitly show the difference in the false reject rates.

### 3. Image Dataset and Algorithms

All of the iris images used in this study were acquired with the same LG 2200 iris imaging system [16], located in the same studio throughout the four years of image acquisition. The system had no hardware or software modifications during the four years. The LG 2200 model is now discontinued. However, current state-of-the-art iris imaging systems of course did not exist at the time that data acquisition for this experiment started. We are currently pursuing additional work with images acquired using a newer model sensor and initial results [9] are generally consistent with results of this study. Image acquisition sessions were held at multiple times in each academic semester across the four years. At a given acquisition session, for a given subject, six images were acquired of each eye.

The image acquisition protocol was the same as that used in the Iris Challenge Evaluation (ICE) 2005 and 2006 [25][26]. However, it is important to note that while the protocol for the ICE acquisitions allowed for some images that did not pass the normal built-in quality control checks of the LG 2200 [25], all images used in this study were manually screened for image quality. Images of noticeably poor quality were excluded from this study; e.g., out-of-focus irises, major portions of the iris occluded, obvious interlace artifacts, etc., were all excluded. Also, images that resulted in a noticeably poor iris segmentation by the IrisBEE algorithm were excluded from the study. (The detailed segmentation was not available from the other systems.)

A total of 23 persons participated in data acquisitions from 2004 through 2008. See Figure 1 for examples of iris images. There are images from both irises of the 23 subjects over the four years. Subject age ranges from 22 to 56 years old at the end of the four-year period. Sixteen subjects are male and seven are female. Sixteen subjects are Caucasian and seven are Asian. The repeated sixteen by seven breakdown is a coincidence; the ethnicity division does not follow the gender division. None of the subjects wore glasses for any of the data acquisition. Five subjects wore contact lenses at all acquisition sessions, and eighteen subjects did not wear contact lenses at any acquisition session. The total number of iris images selected for use in this study was 6,797.

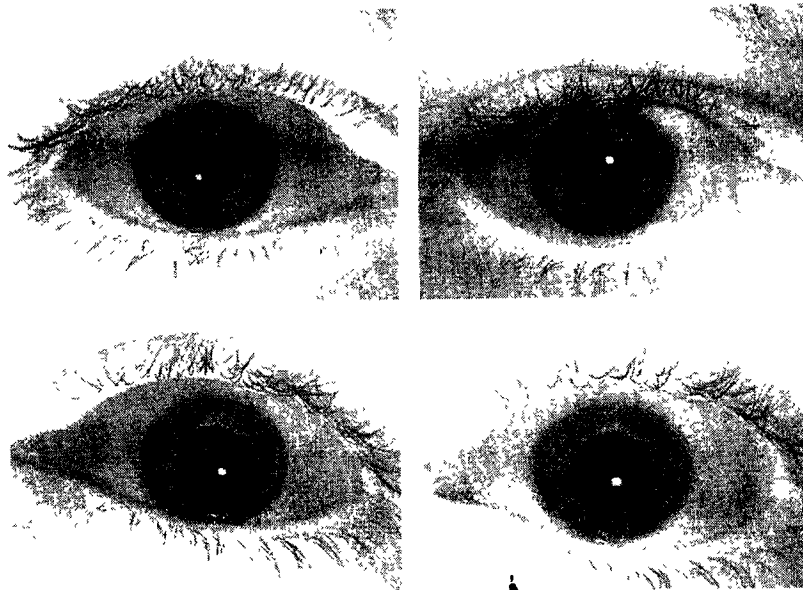
We created two sets of image pairs, a short-time-lapse set and a long-time-lapse set. The short-time-lapse set consists of image pairs



where the two images were acquired with no more than 120 days of time lapse between them. The average time lapse in this group is 44 days. The long-time-lapse set consists of image pairs acquired with no less than 1,200 days of time lapse. The average time lapse in this group is 1,405 days. A given iris image can participate in multiple short-time-lapse pairs and multiple long-time-lapse pairs.

### Iris Matching Algorithms

To investigate the generality of any observed effects, three different iris biometric algorithms were included in the study. First, we used our own modified version of the IrisBEE system distributed through the ICE program [25]. This system represents an iris as a 240x10x2-bit iris code generated from the complex-valued responses of one-dimension allog-Gabor wavelet filters applied to the normalized iris image [20]. For the IrisBEE matcher, the output of matching two iris images is a fractional Hamming distance. The range of the fractional Hamming distance is  $[0,1]$ , with zero being a perfect match and 0.5 a random level of match. Second, we used the commercial VeriEye 2.2 Iris SDK from Neuro Technology [32]. This system produces match scores on a different scale and with a different polarity than systems employing fractional Hamming distance. For the analysis in this paper, we negated the match scores so that lower scores represented better matches. The third system was the Cam-2 submission to the ICE2006 from the University of Cambridge [25]. The output of the Cam-2 matcher is nominally a fractional Hamming distance. Thus we



**Fig. 1** Example iris images of a subject taken in 2004 and 2008 (subject 04233) Upper left: right iris from 2004, upper right: right iris from 2008; lower left: left iris from 2004; and lower right: left iris from 2008.

have used three different algorithms. One is based on a “baseline” source code that was made available to the research community, one is a readily available commercial product, and one was a best performer in the ICE 2006 results.

## 5 False Reject Rates for Short and Long Time Lapse

We computed the authentic and impostor distributions for each of the three algorithms. The impostor distributions showed no apparent difference between the short-time-lapse data and the long-time-lapse data. However, the authentic distributions for long-time-lapse data were shifted in the direction of the impostor distribution. For each of the three algorithms, the shift in the authentic distribution is such that it causes an increase in the False Reject Rate (FRR) for any practical choice of decision threshold.

Graphs that zoom in on the “tails” of the long-time-lapse and short-time-lapse authentic distributions for each algorithm are shown in Figure 2. These graphs show the tails of the distributions across a range of possible values for the decision threshold. Recall that for the IrisBEE and Cam-2 algorithms, a smaller value (of fractional

Hamming distance) represents a better match, while for the VeriEye algorithm a larger value of different units represents a better match. This figure shows that for all three algorithms, across a broad range of possible threshold values, the long-time-lapse authentic distribution has a higher false reject rate than the short-time-lapse authentic distribution. The IrisBEE algorithm shows approximately 150% increase in the false reject rate across the range of decision thresholds, the VeriEye algorithm shows an approximately 70% increase, and the Cam-2 algorithm shows an approximately 40% increase. Thus we observe clear and consistent evidence of a template aging effect for each of three algorithms considered in this study.

#### 6. Frequency of Authentic Distribution With Worse Mean Score

We also performed a one-sided sign test to check for statistical significance of the frequency, across the 46 irises, of the long-time-lapse authentic distribution having a worse mean match score than the short-time-lapse authentic distribution. A worse mean score is one closer to the impostor distribution. If time lapse has no effect, then we would expect that the long-time-lapse mean is worse for half of the irises and the short-time-lapse mean is worse for half. This is the null hypothesis for the test. The sign test does not make any distributional assumptions about the means of similarity scores. The one-sided test was selected because we are interested in the alternative hypothesis that the longer-time-lapse data has a larger mean score.

Table1 Sign test for frequency of worse mean match score with longer time lapse.

Algorithm	No. irises	test statistic	p-value
IrisBEE	42	5.75	$2.55 \times 10^{-9}$
VeriEye	41	5.46	$2.20 \times 10^{-8}$
Cam-2	38	4.57	$4.62 \times 10^{-6}$

The sign test results are presented in Table 1, including the test statistic, p-value, and number of irises for which the mean of the long-time match scores is worse than the mean of the short-time-lapse match scores( $\mu_L(i) > \mu_S(i)$ ). The results show that we can easily reject the null hypothesis for all three algorithms. The frequency of a worse match score occurring for the long-time-lapse is statistically significant. This indicates that the increased FRR seen in Figure2 is not the result of a small number of unusual irises in the data set, but is characteristic of the data set in general.

Table 1 shows that for IrisBEE there are 42 of 46 irises for which the long-timelapse mean HD is worse, for VeriEye there are 41 irises for which the long-timelapse mean match score is worse, and for Cam-2 there are 38 irises for which the long-time-lapse mean HD is worse. One natural question is: how many of these irises are in common? The answers are presented in Table.2, which shows the number of irises in common. The last row reports that 34 irises have the time-lapse

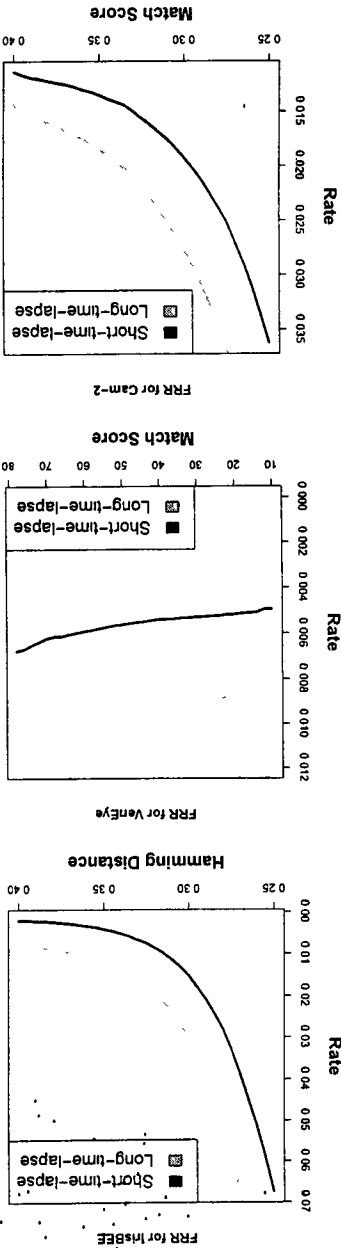


Fig. 2 Authentic distributions across a range of match scores, showing increased false reject rates.

Table 2 Overlap in number of irises for which the mean of the long-time match scores is greater than the mean for the short-time match scores. The overlap is reported for all combinations of the three algorithms and for all three algorithms.

Algorithms	N of 46 irises in common
IrisBEE-veriEye	38
IrisBEE-Cam2	35
VeriEye-Cam2	35
All three	34

effect for all three algorithms. A one-sided sign test for 34 of 46 irises showing an effect across all three algorithms produces a test statistic of 3.391 with a p-value of  $8.207 \times 10^{-4}$ . Thus, even if we use the criteria that all three algorithms must agree on the movement of the means, the null hypothesis is rejected.

7. Possible Causes of an Increased False Reject Rate

We considered a variety of factors that could conceivably contribute to causing the observed result. For example, it is known that the presence of contact lenses can adversely affect match quality[3]. If the short-time-lapse data contained image pairs where a subject did not wear contact lenses and the long-time-lapse data contained image pairs where the same subject was wore contacts, this could conceivably cause an increased FRR for long-time-lapse relative to short-time-lapse. Similarly, if a person was wearing the same type of contacts in short-time-lapse image pairs, but a different type in

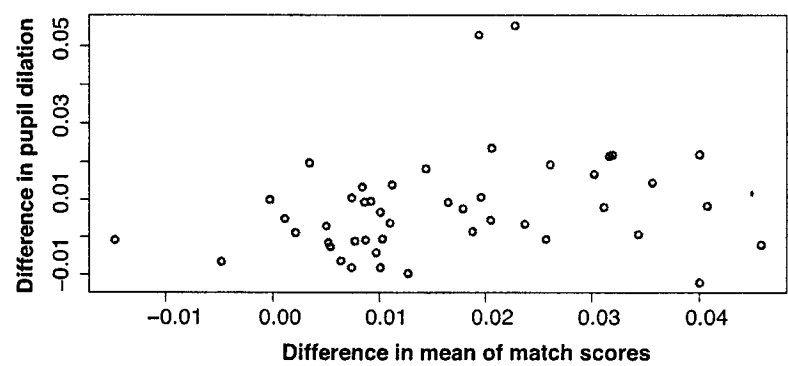
long-time-lapse image pairs, this could conceivably cause an increased FRR.

We manually checked for the presence of contact lenses in all images included in this study. We found that each subject in this study either wore contacts for all acquisition sessions, or did not wear contacts to any acquisition session. Also, for the subjects who wore contacts, none appear to have changed the type of contacts worn. Thus we conclude that the wearing of contact lenses is not an appreciable factor in our observed results.

Hollingsworth et al. [13] showed that the degree of the pupil dilation, and the difference in pupil dilation between two images, can affect the match distribution. We performed an analysis of the changes in pupil dilation and its possible effect on the difference between long-time-lapse and short-time-lapse data.

The first step in the analysis was to compute the ratio of the pupil diameter to the iris diameter for each image. The second step was to compute the difference in the pupil-to-iris ratio for the iris images in each match pair. Then, for each subject, we computed the average change in the pupil-to-iris ratio over all short-time-lapse match pairs. We denote this by  $pS(i)$ . Similarly, we computed the average change in the pupil-to-iris ratio for all long-time match pairs, denoted by  $pL(i)$ . Then for each iris, we computed the difference between the average short-time-lapse change in the pupil to iris ratio and the average long-time-lapse change in the pupil to iris

ratio, denoted by  $\rho_L(i) - \rho_S(i)$ . For the IrisBEE algorithm, we created a scatter plot of the change in the pupil-to-iris ratio between long-time-lapse and short-time-lapse match pairs and change in match score between long-time-lapse and short-time-lapse. Figure 3 is a scatter plot of  $\mu_L(i) - \mu_S(i)$  versus  $\rho_L(i) - \rho_S(i)$ . The corresponding Kendall correlation coefficient is 0.217. If the observed increase in false reject rate could be attributed to a change in pupil dilation, then  $\mu_L(i) - \mu_S(i)$  versus  $\rho_L(i) - \rho_S(i)$  would be substantially correlated. If  $|\rho_L(i)| > |\rho_S(i)|$ , then there is a greater difference in diameters of the pupils for long-time match pairs than for short-time match pairs. In turn this implies that match scores should degrade. However, our analysis shows minimal correlation between  $\mu_L(i) - \mu_S(i)$  versus  $\rho_L(i) - \rho_S(i)$ . Thus we conclude changes in pupil dilation are not an appreciable factor in our observed result.



**Fig. 3** Scatterplot of the change in match score between long-time and short-time lapse for each iris versus the change in the pupil to iris ratio between long-time and short-time lapse match pairs ( $\mu_L(i) - \mu_S(i)$  versus  $\rho_L(i) - \rho_S(i)$ ). The horizontal axis is the change in mean match scores for the long-time and short time lapse iris pairs. The vertical axis is the change in the average short-time change in the pupil to iris ratio and the average long-time change in the pupil to iris ratio. Each red circle is an iris

The percentage of an iris that is occluded can affect iris matching performance [10]. The more of the iris that is observable, the better the expected performance. Thus one possible factor contributing to the observed increase in the false reject rate is that the percentage of the iris that is observable decreased in the long-time-lapse data relative to the short-time-lapse data.

In the IrisBEE algorithm [25], the fraction of the iris that is visible is indicated by the fraction of the iris code bits that are marked in the iris code mask as representing non-occluded portions of the iris. To determine if there is a change over time in the fraction of the iris that is occluded, we divided the time period over which the data



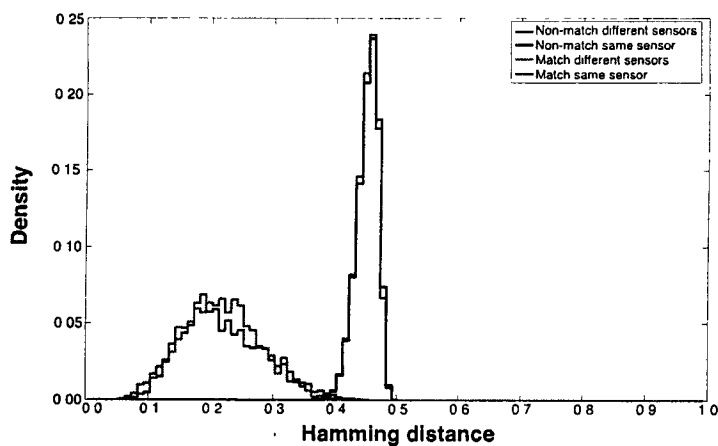
was collected for this study into 30-day intervals. We computed the average number of bits marked as non-occluded in the mask for all images collected in each 30-day interval. We then computed Kendall's correlation coefficient between the average number of bits marked as non-occluded and time. The resulting Kendall's correlation coefficient is -0.131. This indicates that there is no substantial correlation between number of bits marked as non-occluded and elapsed time. Thus, we conclude that change in the amount of iris occluded does not account for the increase in the false reject rate observed in our results.

The iris images in the time-lapse study were collected with the same LG 2200 sensor [16]. It is conceivable that the sensor properties of the LG 2200 could have changed over time in such a way as to cause an increased false reject rate in the long-time-lapsed data. To test for this, in the Fall 2008 we collected iris images with a second rarely-used LG 2200 camera. We collected approximately 3000 images from 77 subjects (154 irises) who attended three separate acquisition sessions (labeled "session one," "session two," and "session three"). There was approximately two weeks elapsed time between each session. During sessions one and three, iris images were collected with the original camera; during session two the iris images were collected with the second rarely-used camera. The first step in our sensor aging analysis was to compute the match and non-match score distributions between iris images collected in session one and session three, both sessions using the original sensor. The second step was to compute the match and non-match score distributions between iris images collected in session one and session two. In session two, the images were collected with the second rarely-used sensor. If the sensor age affects match

quality, we would expect a significant degradation in match scores between images collected from the two different sensors compared to image pairs collected with the original sensor. The average match score for image pairs collected with the original sensor is 0.215; the average match score for image pairs collected with the two different sensors was 0.217. Figure 4 shows a histogram for the match and non-match distributions for both within and between sensor comparisons. Based on this analysis, we conclude that a sensor aging effect cannot account for the increase in false reject rate that is seen in our results.

The LG 2200 camera actively illuminates the iris using three infrared light emitting diodes (LED) positioned on the left, right, and top of the sensor. When acquiring images, the camera is designed to take three images, one with each LED. In commercial applications, the camera will save the best quality image and discard the other two. For our acquisitions, the system had the capability to save all three images (for a detailed explanation see Phillips et al. [26, 25]). It is conceivable that if there were more matches between images acquired with the same LED in the short time-lapse group, and more matches between images acquired with different LEDs in the long-time-lapse group, that this could result in an increased false reject rate for the long-time-lapse group.

We grouped the matches into those in which the two images were taken with the same LED and those in which the two images were taken with different LEDs. For both groups, we observed an increased false reject rate of about 50% across all feasible decision threshold values for the long-time-lapse data over the short-time



**Fig. 4** The match and non-match distributions for the within and between sensors experiments. The match and non-match distributions are for the Hamming distance from the IrisBEE algorithm. The mean Hamming distance for match scores collected with the same sensor is 0.2153 and for match scores collected with difference sensors is 0.2167. The mean Hamming distance for non-match scores collected with the same sensor is 0.4483 and for non-match scores collected with difference sensors is 0.4478.

lapse data. Thus we conclude that variations in the particular LED illuminating the images is not the cause of the increased false reject rate seen in our results.

## 8 Conclusions and Discussion

For three different matching algorithms, and across the range of practical decision threshold values for each matching algorithm, we found that the false reject rate increases with longer time lapse between enrollment and verification. This is seen clearly in the difference in the tails of the authentic distributions. Also, the frequency of irises with a worse mean match score for long-time-lapse compared to short-time-lapse is statistically significant. Thus our experimental results show clear and consistent evidence of a template aging effect for iris biometrics. The magnitude of the template aging effect varies between algorithms, with the value of the decision threshold, and other factors.

We were able to test for a variety of factors that could potentially contribute to observing an increased false reject rate with increased time lapse. We concluded that factors such as varying pupil dilation, wearing of contact lenses, differences in amount of iris occluded, and sensor aging are not an appreciable factor in our experimental results.

It is possible that the template aging effect observed in our experimental results is caused by normal aging of the eye. One well-known example of age-related change in the normal eye involves pupil size. Winn et al. studied factors affecting lightadapted pupil size and found that "of the factors investigated, only chronological age had a significant effect on the size of the pupil"[33]. They concluded "the results of this study are consistent with previous reports suggesting that pupil size becomes smaller in an almost linear manner with increasing age" [33]. The iris, of course, controls the pupil size, and so this change in average pupil size reflects a change in the functioning of the iris tissue. As the Merck Manual of Geriatrics describes it, "The iris comprises two sets of muscles that work together to regulate pupillary size and reaction to light. With aging, these muscles weaken and the pupil becomes smaller (more miotic), reacts more sluggishly to light, and dilates more slowly in the dark" [23].

There are also age-related changes in the melanocytes, the cells that produce melanin, in the iris. Eye color is largely determined by the melanocytes in the anterior layer of the iris. For some segments of the population, aging can lead to a noticeable change in the melanocytes, and so the eye color. Bito et al. report that "Most individuals had stable eye color after early childhood. However, there was a subpopulation of white subjects with eye color changes past childhood. Approximately 17% of twins and 11% of mothers experienced a change in eye color of 2 Uormore.[...] Thus, eye color, and hence, iridial pigmentation, seems to change in some individuals

during later years" [5]. They found that the changes in eye color were more similar for identical twins than fraternal twins, indicating a genetic link to this particular element of aging. One element of melanocyte aging can, in rare cases, lead to a cancer. "The melanocytes in the iris are constantly exposed to UV radiation, and this leads to the malignant transformation of these cells to form a specific type of malignant tumor, the uveal melanoma" [12].

Also connected with the melanocytes, iris freckles and nevi can arise in the iris, and can grow over time. "Iris freckles are the most common iris tumors found in children as well as adults. They are collections of benign, but abnormal melanocytes that vary in size and shape. Although congenital, they tend to become more prominently pigmented with age. Iris freckles are clusters of normal melanocytes and have no malignant potential. Nevus efface the iris architecture and may cause clinical structural alterations ..." [34].

In addition, it is known that the cornea undergoes age-related changes. "The shape and aberrations of the cornea change with age. It is well known that the radius of curvature slightly decreases with age, and the asphericity also changes. On average, the cornea becomes more spherical with age and, as a consequence, spherical aberrations tend to increase" [1]. The iris is imaged through the cornea, thus, corneal changes may affect iris images.

Small, incremental changes in imaged iris texture over time should be considered normal, as "... age related changes take place in all ocular tissues of the human eye ..." [2]. The relevant question for iris biometrics is the time scale at which normal aging has an appreciable

effect on the biometric template computed from the imaged iris texture. To underscore this point, we quote from the Flom and Safiriris recognition patent [11] - "The basic, significant features of the iris remain extremely stable and do not change over a period of many years. Even features which do develop overtime, such as the atrophic areas discussed above, usually develop rather slowly, so that an updated iris image will permit identification for a substantial length of time". In this quote, it is clear that Flom and Safir anticipated the possibility that small, incremental changes in iris texture could potentially result in the need for an "updated image" and re-enrollment of the iris template. One interpretation of our results is that they confirm that the possibility that Flom and Safir envisioned is in fact true.

In an attempt to identify the regions of the iris that changed, degrading the match quality, we visually examined the iris images. Visual examination of the iris image pairs with the poorest match scores for the IrisBEE algorithm revealed no drastic or obvious changes in the irises or their textures. This suggests that, if the template aging effect is due to normal aging of the eye, humans may not be able to easily perceive the subtle changes that are involved.

Much additional research remains to be done in the area of template aging for iris biometrics. While we have experimentally observed a template aging effect, and have ruled out several factors as primary causes of the observed effect, we have not conclusively identified a primary cause of the observed template aging. It is important to understand the cause of the observed template aging effect, so that

techniques can be developed to mitigate the effect. It would also be valuable to know whether or not iris biometric template aging is constant across different demographic groups, and whether it occurs at a faster or slower rate as a person ages. Studies that collect new and larger data sets, involve a larger pool of subjects, different sensors, a longer time period, and / or a sample of subjects that represent a greater range of demographics would all be important.

Acknowledgements SEB, KWB, and PJF were supported by the National Science Foundation under grant CNS01-30839, by the Central Intelligence Agency, by the Intelligence Advanced Research Projects Activity and by the Technical Support Working Group under US Army contract W91CRB-08-C-0093. PJP acknowledges the support of the the Biometric Task Force, the Department of Homeland Security's Directorate for Science and Technology, the Intelligence Advanced Research Projects Activity (IARPA), the Federal Bureau of Investigation (FBI), and the Technical Support Working Group (TSWG).

The opinions, findings, and conclusions or recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of our sponsors. The identification of any commercial product or trade name does not imply endorsement or recommendation by the authors, the University of Notre Dame, or the National Institute of Standards and Technology.

## References

1. P. Artal, "Chapter 3: Aging effects on the optics of the eye," in Age-Related Changes of the Human Eye, Carlo A.P. Cavallotti and Lucianon Cerulli, editors, Humanan Press, Totowa, NJ, 2008.
2. D. Atchison, E. Markwell, S. Kasthurirangan, J. Pope, G. Smith, P. Swann. "Age-related changes in optical and biometric characteristics of emmetropic eyes," Journal of Vision 8(4):29, 1-20, 2008.
3. S. Baker, A. Hentz, K.W. Bowyer and P.J. Flynn, "Degradation of iris recognition performance due to non-cosmetic prescription contact lenses", Computer Vision and Image Understanding 114 (9), 1030-1044. Sept. 2010.
4. S. Baker, K. Bowyer, P. Flynn, "Empirical Evidence for Correct Iris Match Score Degradation with Increased Time-Lapse Between Gallery and Probe Matches." In Proc. Third International Conference on Biometrics. 1170-1179, 2009.
5. L. Bito, A. Matheny, K. Cruickshanks, D. Nondahl, O. Carino, "Eyecolor changes past early childhood, " Archives of Ophthalmology, 115, 659-663, May 1997.
6. K.W. Bowyer, K. Hollingsworth, and P. Flynn. "Image Understanding for Iris Biometrics: A Survey." Computer Vision and Image Understanding, 110(2):281-307, 2008.
7. J.W. Carls, R. Raines, M. Grimaila, S. Rogers, "Biometric enhancements: Template aging error score analysis", 8<sup>th</sup> IEEE



Int'l Conference on Automatic Face and Gesture Recognition,  
2008. FG '08. Sept 2008, 1-8.

8. J. Daugman, "How Iris Recognition Works," IEEE Transactions On Circuits and Systems for Video Technology, 14(1):21-30, 2004.
9. S. Fenker, K.W. Bowyer, "Experimental evidence of a template aging effect in iris biometrics, "IEEE Computer Society Workshop on Applications of Computer Vision. January 2011..
10. J. Daugman, "New Methods in Iris Recognition," IEEE Transactions On Systems, Man, and Cybernetics. 37(5):1167-1175, Oct 2007.
11. L. Flom, A. Safir, "Iris Recognition Systems," U.S. Patent No. 4641394, 1987.
12. D. Hu, "Photobiology of the Uveal Tract," Photobiological Sciences Online, Kendric C. Smith, editor, <http://www.photobiology.info/>.
13. K. Hollingsworth, K.W. Bowyer, P.J. Flynn, "Pupil Dilation Degrades Iris Biometric Performance," Computer Vision and Image Understanding, 113(1): Jan 2009.
14. K. Hollingsworth, K.W. Bowyer, P.J. Flynn, "The Best Bits in an Iris Code," IEEE Transactions on Pattern Analysis and Machine Intelligence, 31(6): June 2009.

15. Hollingsworth, K.W. Bowyer, P.J. Flynn, "Similarity of Iris Texture Between Identical Twins," Computer Vision and Pattern Recognition Biometrics Workshop, June 2010.
16. LG. <http://www.lgiris.com/>, accessed April 2009.
17. LGE Iris Tech Win In India Redefines Biometric Scalability. <http://www.findbiometrics.com/article/115>, accessed April 2009
18. N. Kalka, J. Zuo, A. Schmid, B. Cukic, "Image Quality Assessment for Iris Biometrics," In Proc. Biometric Technology for Human Identification III, 6202(1) 2006.
19. A. Lanitis, "A survey of the effects of aging on biometric identity verification", Int'l Journal of Biometrics, 2(1): 34-62 2010.
20. X.Liu, K.W.Bowyer, P.Flynn. "Experiments with an improved iris segmentation algorithm," In Proc. Fourth IEEE Workshop on Automatic Identification Technologies", 118-123, Oct 2005.
21. X. Liu. "Optimizations in Iris Recognition." PhD Dissertation, University of Notre Dame, 2006.
22. K. Miyazawa, K. Ito, T. Aoki, K. Kobayashi, H. Nakajima. "An Effective Approach for Iris Recognition Using Phase-Based Image Matching," IEEE Transactions on Pattern Analysis and Machine Intelligence, 30(10):1741-1756, Oct. 2008.

23. The Merck Manual of Geriatrics, 3rd edition, Mark H. Beers, editor, Chapter 126: Aging and the Eye, <http://www.merck.com/mkgr/mmg/sec15/sec15.jsp>.
24. D. Monro, S. Rakshit, D. Zhang. "DCT-Based Iris Recognition," IEEE Transactions on Pattern Analysis and Machine Intelligence, 29(4):586-595, April 2007.
25. P. Phillips, W. Scruggs, A. O'Toole, P. Flynn, K. Bowyer, C. Schott, M. Sharpe, "FRVT 2006 and ICE 2006 Large-Scale Experimental Results," IEEE Transactions on Pattern Analysis and Machine Intelligence, 32: 831-846, 2010.
26. P. J. Phillips, K. Bowyer, P. Flynn, X. Liu, T. Scruggs "The Iris Challenge Evaluation 2005" In Proc. Second IEEE Conference on Biometrics: Theory, Applications, and Systems. Sept. 2008.
27. P.J. Phillips, P. Grother, R. Michaels, D. Blackburn, E. Tabassi, M. Bone, "Face Recognition Vendor Test 2002: Overview and Summary", 4 March 2000.
28. J. Ryu, J. Jang, H. Kim, "Analysis of Effect of Fingerprint Sample Quality in Template Aging", NIST Biometric Quality Workshop II, Nov 7-8, 2007.
29. P. Tome-Gonzalez, F. Alonso-Fernandez, J. Ortega-Garcia, "On the Effects of Time Variability in Iris Recognition" In Proc.

Second IEEE Conference on Biometrics: Theory, Applications and Systems. Sept. 2008.

30. J. Thornton, M. Savvides, V. Kumar. "A Bayesian Approach to Deformed Pattern Matching of Iris Images," IEEE Transactions on Pattern Analysis and Machine Intelligence, 29(4):596606, April 2007.
31. U. Uludag, A. Ross, A. Jain, "Biometric Template Selection and Update: a Case Study in Fingerprints", Pattern Recognition, 37: 1533-1542 2004.
32. VeriEye Iris Recognition Technology. <http://www.neurotechnology.com/verieye.html>, accessed November 2008.
33. B. Winn, D. Whitaker, D. Elliot, N. Phillips, "Factors Affecting Light-adapted Pupil Size in Normal Human Subjects", Investigative Ophthalmology and Visual Science, 35(3): 1132-1137 1994.
34. K. Wright, P. Spiegel, Pediatric Ophthalmology and Strabismus, Springer-Verlag, New York,

**ANNEXURE-P/16**

1.8 lakh Aadhaar families found with invalid IDs Ambika Pandit, TNN  
| Sep 10, 2014, 11.45PM IST

NEW DELHI: More than 1.8 lakh families have failed the eligibility test for monthly supplies of subsidized ration under the food security programme. The Aadhaar registration of all members of these families was found to be invalid. These families make up over six lakh individuals. The findings have alerted the Delhi government to the possibility of miscreants duping poor aspirants to generate bogus ration cards. While the verification has foiled any such attempt for now, the food and civil supplies department has launched an investigation to prevent violations in future.

More than 21 lakh applications were received since the scheme was launched last year. During verification, the Aadhaar enrolment ID was found to be invalid in case of 1,38,193 families. In case of 37,266 families, the unique Aadhaar ID was didn't exist, and in another 9,067 applications, either the UID or the enrolment ID was invalid. The applications together accounted for 6,04,660 individual aspirants. Under the Food Security Act, four kilograms of wheat at Rs 2 per kg and 1kg of rice at Rs 3 per person is the monthly takeaway for beneficiaries.

The secretary (food and supplies), S S Yadav, told TOI that he has ordered a probe into the reason for this peculiar discrepancy and

also a crackdown on any miscreants who may be trying to sneak in bogus entries. "Every single member of these 1.8 lakh-odd families has provided us with Adhaar enrolment numbers or the final unique ID numbers which are invalid. There is something wrong somewhere. How can all members of so many families hold invalid IDs?" he said.

A centralized SMS will be sent to all these applicants informing them that their Adhaar IDs have been found to be invalid. "The circle offices will then contact these people on the numbers on the applications. Since Aadhaar is not mandatory as per a Supreme Court order, we cannot disqualify these applicants. With the ID number or enrolment being made compulsory for registration, we would want to verify these applicants to prevent any bogus ones from making it to the final list," Yadav added.

With a target of 73 lakh beneficiaries, the department is making all efforts to shore up the distribution system. For instance, the government wants to give the fair price shopkeeper the option to provide banking facilities by way of a micro ATM and a banking correspondent to the poor. "We are in talks with banks to provide the poor with facilities on their doorstep. The banking correspondent will be paid a fixed financial incentive monthly. This will ensure the shop remains open for residents," Yadav added. There are 2,500 ration shops in Delhi. The government recently liberalized its policy on items allowed to be sold from these.

RELATED KEYWORDS: Lord-Hanuman-Gets-Aadhaar-Card |

Aadhaar-Card Divine 'right'? Lord Hanuman gets Aadhaar card

PTI | Sep 11, 2014, 08.10PM IST

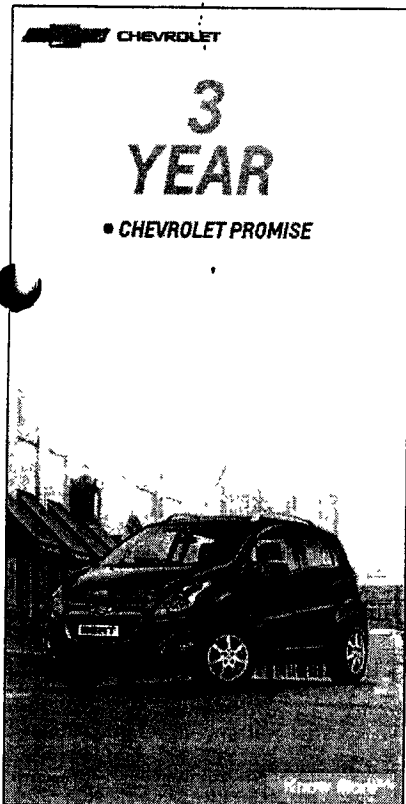
SIKAR: Lord Hanuman has managed to get an Aadhaar card made, but there are no takers for it.

The unique identification card with registration number 2094705195411 bearing a picture of the popular Hindu god, addressed him as the son of 'Pawan' besides giving a mobile number and thumbprint.

A postman from Dantaramgarh here was unable to deliver the card, which was dispatched from Bangalore on September 6, as there were no authentic recipients for it, post office authorities said.

"When postman Heera Lal received the card for delivery, he was shocked and brought the matter to the notice of senior officials. When they tried calling the number, it was switched off," said postmaster Gobraj, adding that preliminary probe into the matter suggested that the card was made by one Vikas.

The card will be sent back to Bangalore as there were no recipients for it, he added.



#### RELATED ARTICLES

- Syndicate Bank opens 17th mid-corporate branch in Mangalore

#### FEATURED TODAY IN INDIA

- Maharaja Ranjitsinhji had illegitimate son in UK?
- Jayalithaa DA case verdict: Girl seriously injured in self-immolation attempt
- Panneerselvam to be Tamil Nadu chief minister
- Jayalithaa DA case verdict: Bus set on fire in Virudhunagar district
- Jayalithaa to move Karnataka HC for bail
- Leadership dominant in NDA, was 'very loose' in UPA: Vinod Rai
- Jayalithaa holds talks on successor in Bangalore jail
- AIADMK member commits suicide
- President's rule imposed in Maharashtra
- Mammoth loot of coal from thermal plants of MP: 23,000mt coal vanishes in three months

more

## RELATED KEYWORDS: Lord-Hanuman-Gets-Aadhaar-Card | Aadhaar-Card Divine 'right'? Lord Hanuman gets Aadhaar card

PTI Sep 11, 2014, 08:10PM IST

Like Share 17k Tweet 225 Share

SIKAR: Lord Hanuman has managed to get an Aadhaar card made, but there are no takers for it.

The unique identification card with registration number 2094705195411 bearing a picture of the popular Hindu god, addressed him as the son of 'Pawan' besides giving a mobile number and thumbprint.

A postman from Dantaramgarh here was unable to deliver the card, which was dispatched from Bangalore on September 6, as there were no authentic recipients for it, post office authorities said.

Ads by Google

#### Apartments in Delhi

Wide Range of Affordable 1,2,3 BHK Apartments. Compare & Select Now!  
[www.hdfcred.com/Delhi](http://www.hdfcred.com/Delhi)

#### Apartments in Gurgaon

Newly launched 3 & 4 BHK starting at 1.24 Cr, Near Dwarka Expressway  
[ansals-amantre.com/Launching](http://ansals-amantre.com/Launching)

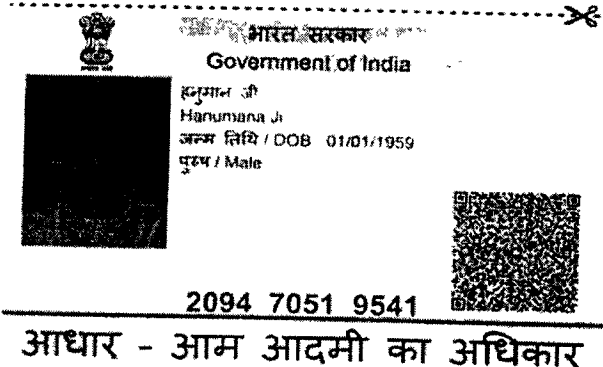


Children wearing mask of lord Hanuman during a procession on the occasion of Hanuman Jayanti.

"When postman Heera Lal received the card for delivery, he was shocked and brought the matter to the notice of senior officials. When they tried calling the number, it was switched off," said postmaster Gobraj, adding that preliminary probe into the matter suggested that the card was made by one Vikas.

2094 7051 9541

आधार - आम आदमी का अधिकार



The card will be sent back to Bangalore as there were no recipients for it, he added.

Stay updated on the go with The Times of India's mobile apps. Click here to download it for your device.

#### More from The Times of India

- Actress Shruti arrested for murder! 06 Sep 2014

#### From Around the Web

- There's Amazing Content Online. How to Know What to Read Next Sphere



July 22, 2013

NPR and Aadhaar - a confused process

R. Dinakaran

As all (or at least most) of Government schemes and plans go, the enumeration process of Aadhaar and NPR is being carried out in a manner in which nobody seems to have any clue about what's happening or is being done. There are enumeration camps, but neither the Government nor UIDAI has bothered to inform the people of the location of the camps. The Aadhaar web site is silent on the location of the camps. UIDAI too has not bothered to update its site. For instance, the districts list under Tamil Nadu has just one – Puducherry (which is a Union Territory).

Though the camps are functioning, the privacy concerns have not been sorted out. The Government does not seem to be bothered at all. In fact, the question in the Aadhaar form asking for 'Information Sharing Consent' (see picture) has 'Yes' by default. You realise it only after you get the acknowledgment slip in your hand after the process is over. And by the time it is over, you are so exhausted that you want to get away from the place that you don't really bother about the small check mark that takes your consent for sharing information for granted. Isn't there supposed to be Aadhaar forms to be filled up, which will ask for our consent for 'information sharing'? No. There are no forms. Your data from the NPR enumeration done a few years ago is taken for Aadhaar and is pre-

filled in the system. Do you have any doubts about NPR, Aadhaar or the process itself? If you have, you have to live with it. The enumeration camps are run by the contracted agencies and there are no senior officials present to clarify your doubts. Now that both Aadhaar and NPR have been merged, are the camps for Aadhaar or NPR? Looks like it doesn't matter anymore, because of the merged data, but the acknowledgement slip given after the enumeration has the e-mail ID and web site address of the Census Department. If you have the NPR enumeration slip and an identity document such as the ration card or driving licence, it is enough. NPR and Aadhaar have discounted the fact that people live in apartments, too. If you try to give your apartment number (well, the card is going to the mother of all address/identity proofs), you are told only the 'house number' will be recorded. Though you are told that "any correction" has to be carried out within 90 days, a message posted at the enumeration centre gives you a friendly warning: "No Corrections". Yes, now you have to hunt for the place where they will make corrections, if any, including insertion of the apartment number. Now, is Aadhaar mandatory? What about NPR? Isn't it mandatory for all citizens to register for NPR? One report says that if you have registered for NPR, and not for Aadhaar, you will anyway get a card. And because NPR and Aadhaar data have been merged, does it mean that you are automatically registered for Aadhaar if you are in the NPR list? Some say yes, some say no. But none of the officials is sure. Neither are we.

267

**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**I.A. NO. \_\_\_\_\_ OF 2015**

**IN**

**WRIT PETITION (CIVIL) NO. \_\_\_\_\_ OF 2015**

**IN THE MATTER OF :**

S.G. Vombatkere & Anr.

...Petitioners

Versus

Union of India & Ors.

...Respondents

**AN APPLICATION FOR APPROPRIATE DIRECTIONS**

TO

THE HON'BLE CHIEF JUSTICE OF INDIA AND  
HIS COMPANION JUSTICES OF THE SUPREME  
COURT OF INDIA AT NEW DELHI

THE HUMBLE APPLICATION ON  
BEHALF OF THE PETITIONERS  
ABOVENAMED

**MOST RESPECTFULLY SHEWETH:**

1. The Applicants are the Petitioners in the above Public Interest petition - being aggrieved inter alia by the exercise of preparation of the National Population Register and its decision of linkage of operations with the UIDAI which is now under

challenge before this Court in *inter alia* W.P.(Civil) 829 of 2013 by the above-named petitioners .

2. It is the grievance of the Applicant-Petitioners that the NPR and its linkage with Aadhaar in legal vacuum without a statutory framework - is violative of the Constitution of India being violative of various fundamental rights under the Part III of the Constitution of India, and also ultravires the Citizenship Act 1955 as shown in the above Writ Petition.
3. In these circumstances, it is just and necessary that the applicants be heard and permitted to place their pleadings and objections before this Hon'ble Court, before more registrations take place under the scheme and the feared violations and harm that is caused by such registration escalate.

#### **PRAYER**

It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to :-

- (a) Pass a direction to the Registry of Supreme Court of India to tag this matter to be heard along with W.P. (Civil) 829 of 2013 i.e. the UID petition by the Applicants herein.

- (b) Pass a direction to restrain the Respondents and the agencies of the Respondents from continuing registrations to NPR until the final disposal of this Writ Petition;
- (c) Pass a direction to restrain the Government of India, Registrar General of India, all State Governments and all other Central and State Agencies and Authorities from issuing any Advertisement, Announcement, Press Release, Notification, notice to the public or notice in-person to any person in any form whatsoever that may have the effect of communicating the idea that enrollment to Aadhaar / UID or registration with NPR is mandatory for any purpose;
- (d) Pass a direction quashing all Advertisements, Announcements, Press Releases, Notifications, Notices to the public in whichever form issued by Government of India, Registrar General of India, all State Governments and all Central and State Authorities and Agencies stating that enrollment to NPR is mandatory for any purpose;
- (e) Pass such order to the Union of India to order an audit by the Comptroller-and-Auditor General of the accounts and the databases of the NPR exercise and of the UIDAI operations and submit its report within three months;



270

(f) and pass such other or further order/orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY.

FILED BY :

**M/S K.J.JOHN & CO.,**  
Advocates for the Petitioner

DRAWN ON :  
FILED ON : 05.02.2015

271

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
CIVIL WRIT PETITION NO. OF 2015

**IN THE MATTER OF:**

Mr. S.G. Vombatkere & Anr.

...Petitioners

Versus

Union of India & Ors.

...Respondents

**AFFIDAVIT**

I, Sudhir Gurunandan Vombatkere, S/o (Late) Vombatkere Gurunandan Row, aged about 73 years, R/o 475, 7th Main Road, Vijayanagar 1st Stage, Mysore-570017, do hereby solemnly affirm and state as follows:-

1. I am the Petitioner No.1 herein, I am fully conversant with the facts and circumstances of the present case and am as such competent to swear the present affidavit on behalf of the Petitioners.
2. I say that I have no personal interest, motive, gain or oblique reasons in the filing of the accompanying Petition and the same is being filed purely in general public interest.

*Sudhir Vombatkere*

**DEPONENT**

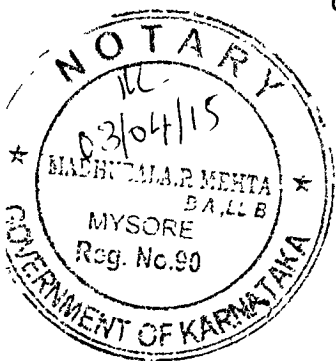
**VERIFICATION:**

*Madhu* *Sudhir Vombatkere*

Verified at Mysuru on this ~~Fourth~~ day of April, 2015, that the contents of paragraphs 1 to 2 of my above affidavit are true and correct that no part of it is false and nothing material has been concealed there from.

*Sudhir Vombatkere*

**DEPONENT**



*out (copy)*  
No of Copies

*Madhukumar Menta*  
Before me on 03/04/2015  
Madhukumar Menta

Notary Seal



272

**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
CIVIL WRIT PETITION NO.                      OF 2015**

**IN THE MATTER OF:**

Mr. S.G. Vombatkere & Anr.

...Petitioners

Versus

Union of India & Ors.

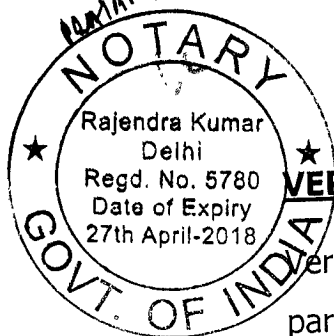
...Respondents

**AFFIDAVIT**

I, Bezwada Wilson, S/o Late Shri Yacob, aged about 47 years,  
R/o 36/13 Ground Floor, East Patel Nagar, New Delhi, do hereby solemnly  
affirm and state as follows:-

1. I am the Petitioner No.2 herein, I am fully conversant with the facts and circumstances of the present case and am as such competent to swear the present affidavit on behalf of the Petitioners.
2. I say that I have no personal interest, motive, gain or oblique reasons in the filing of the accompanying Petition and the same is being filed purely in general public interest.

IDENTIFY THE EXECUTANT/  
DEPONENT WHO WAS  
SIGNED IN THE PRESENCE OF

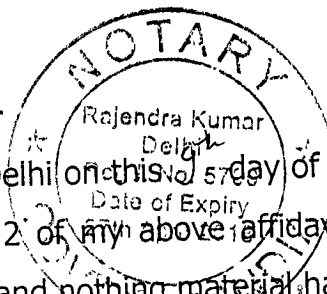


**VERIFICATION:**

Verified at New Delhi on this 7 day of April, 2015, that the contents of paragraphs 1 to 2 of my above affidavit are true and correct that no part of it is false and nothing material has been concealed there from.

DEPONENT EXECUTANT WHO IS SEEMED PERFECTLY ATTESTED!  
UNDERSTAND & AFFIRMED DEPOSED BEFORE ME AT  
DELHI ON                      IDENTIFIED BY

IDENTIFY THE EXECUTANT/DEPONENT WHO HAS  
SIGNED IN MY PRESENCE



RAJENDRA KUMAR  
NOTARY, DELHI-R-5780  
GOVERNMENT OF INDIA  
SUPREME COURT OF INDIA  
COMPOUND, NEW DELHI  
Register Pg./Sl No

*[Signature]*

**DEPONENT**

**DEPONENT**

277

# **K. J. JOHN & CO.**

*Advocates, Supreme Court & High Court*

**K.J. John**  
**Pratap Venugopal**  
**Surekha Raman (Ms.)**  
Dileep P.  
Supriya Jain (Ms.)  
Purushottam Kumar Jha  
Anuj Sarma  
Gaurav Nair  
Debarshi Bhuyan  
Niharika (Ms.)

**Office:** SF 039, 055, Fortune Arcade  
Plot 69, 'K' Block, Sector-18,  
Noida – 201 301

**Chambers:** 428, M.C.Setalvad Lawyers'  
Chambers,  
Bhagwan Dass Road,  
New Delhi –110 001

Tel: (0120) 4272738  
4272739  
4272740

Fax: (0120) 4352830  
(Telefax):(011) 23070428  
E-mail: [mail@kjjohnco.in](mailto:mail@kjjohnco.in)  
[kjjohnco@airtelmail.in](mailto:kjjohnco@airtelmail.in)

17<sup>th</sup> March, 2015

The Registrar,  
Supreme Court of India,  
New Delhi.

Dear Sir,

Re: Writ Petition (Civil) No. OF 2015  
S.G.Vombatkere & Anr. Versus Union of India & Ors.  
(Diary No. 4078/2015)  
-----

This has reference to the list of defects raised on scrutiny. Please note the following:

- (i) The defect at Serial No.4 (Defect Code No.8 iii : The Petition has been filed by two individuals, viz. Mr. S.G. Vombatkere and Mr. Bezwada Wilson in their individual capacities as is clear from the cause title at page 1 of the Writ Petition and description of parties at paras 1 (a) and 1(b) at page 2 of the Petition. The Petition is not being filed by any registered body and hence defects at Serial Nos.4 to 8 would not apply.
- (ii) The defect at Serial No.10 (Defect Code 12 iii) observed that the prayers not being proper and not specific. The said prayers are in order for a Writ Petition (PIL) under Article 32 of the Constitution of India and are being retained. There is no prescribed format for prayers in a Writ Petition as in the case of a Special Leave Petition.
- (iii) The defect at Serial No.11 (Defect Code 15 i) is not understood in as much as the Writ Petition is a original Petition (PIL) filed in this Hon'ble Court and there are no proceedings in a Court below and hence the clarification sought for is not applicable.
- (iv) The defect at Serial No.15 (Defect Code 17 iii) refers to an order in prayer (D). It may be pointed out that prayer (d) seeks issuance of an appropriate Writ order or direction declaring that Section 14A of the Citizenship Act, 1955 as void, ultra vires the Constitution of India and in operated. There is no order involved and hence cannot be produced.

Yours faithfully  
For **K.J.JOHN & CO.**

**(PRATAP VENUGOPAL)**  
Advocates for the Petitioners.

# K. J. JOHN & CO.

*Advocates, Supreme Court & High Court*

274

K.J. John  
Pratap Venugopal  
Surekha Raman (Ms.)  
Dileep P.  
Supriya Jain (Ms.)  
Purushottam Kumar Jha  
Anuj Sarma  
Gaurav Nair  
Debarshi Bhuyan  
Niharika (Ms.)

**Office:** SF 039, 052 & 055,  
Fortune Arcade  
Plot 69, 'K' Block, Sector-18,  
Noida – 201 301  
  
**Chambers:** 428, M.C. Setalvad Lawyers'  
Chambers,  
Bhagwan Dass Road,  
New Delhi –110 001

Tel: (0120) 4272738  
4272739  
4272740  
Fax: (0120) 4352830  
(Telefax): (011) 23070428  
E-mail: [mail@kjjohnco.in](mailto:mail@kjjohnco.in)  
[kjjohnco@airtelmail.in](mailto:kjjohnco@airtelmail.in)

11<sup>th</sup> April, 2015

The Registrar,  
Supreme Court of India,  
New Delhi.

Dear Sir,

Re: Writ Petition (Civil) No. of 2015  
(Diary No. 4078/2015)  
S.G.Vombatkere & Anr. Versus Union of India & Ors.

The aforementioned Writ Petition at pages P and 32 to 33, clearly specifies that another Writ Petition W.P. (C) No.829/2013 has been filed challenging the Constitutionality of the UIDAI and the ADHAAR Schemes. The challenge in the present Petition directed against the exercise of preparation of the National Population Register, is wider and raises other grounds than the challenge and grounds in W.P. (C) No.829/2013, wherein the core challenge is the violation of basic human rights as a result of the Unique Identification Project ("UID Project") introduced by the Respondents therein. This is specifically set out at page 32 of the Writ Petition.

Yours faithfully  
For **K.J. JOHN & CO.**

(**PRATAP VENUGOPAL**)  
Advocates for the Petitioners